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No. 15]

NEW DELHI, SATURDAY, APRIL 9, 1983/CHAITRA 19, 1905

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके
Separate paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii) Part II—Sec. 3—Sub-Sec. (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Order and Notifications issued by the Ministries of the Government of India
(other than the Ministry of Defence)

गृह मंत्रालय

MINISTRY OF HOME AFFAIRS

नई दिल्ली, 26 मार्च, 1983

New Delhi, the 26th March, 1983

का. आ. 1770.—केन्द्रीय सरकार राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उपनियम (4) के अन्तर्गत में गृह मंत्रालय के निम्नलिखित कार्यालयों को, जिनके कर्मचारीवृन्द ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है :—

1. कार्यालय, कमांडेंट ग्रुप केन्द्र, केन्द्रीय रिजर्व पुलिस बल, इम्फाल (मणिपुर)
2. कार्यालय, कमांडेंट ग्रुप सेंटर, केन्द्रीय रिजर्व पुलिस बल, गोहाटी (असम)
3. कार्यालय, कमांडेंट-26 वाहिनी, केन्द्रीय रिजर्व पुलिस बल, जमशेदपुर (बिहार)
4. कार्यालय, कमांडेंट-25 वाहिनी, केन्द्रीय रिजर्व पुलिस बल, जुबजा (नागालैण्ड)
5. कार्यालय, कमांडेंट-35 वाहिनी, केन्द्रीय रिजर्व पुलिस बल, अरुणाचल प्रदेश।

S.O. 1770.—In pursuance of sub-rule (4) of Rule 10 of the Official Languages (use for Official purposes of the Union), Rules, 1976 the Central Government hereby notifies the following offices of the Ministry of Home Affairs the staff whereof have acquired the working knowledge of Hindi :—

1. Office of the Commandant, Group Centre, C.R.P.F. Imphal (Manipur).
2. Office of the Commandant, Group Centre, C.R.P.F. Gauhati (Assam).
3. Office of the Commandant, 26th Battalion C.R.P.F. Jamshedpur (Bihar).
4. Office of the Commandant, 25th Battalion, C.R.P.F. Jubja (Nagaland).
5. Office of the Commandant, 35 Battalion, C.R.P.F. Arunachal Pradesh.

[संख्या 12017/1/82-हिन्दी]
एम. एम. शर्मा, उप सचिव

[No. 12017/1/82-Hindi]
M. M. SHARMA, Dy. Secy.

योजना मंत्रालय

(सांख्यिकी विभाग)

नई दिल्ली, 25 मार्च, 1983

का. आ. 1771.—विनांक 27 अगस्त, 1982 के इस विभाग की अधिसूचना सं. एम-12011/5/80-भा.सां.सं. में आंशिक संशोधन करके भारतीय सांख्यिकी संस्थान, कलकत्ता के कार्यों के मूल्यांकन एवं समीक्षा के लिए भारतीय सांख्यिकी संस्थान अधिनियम 1959 के खण्ड नौ के उप-खण्ड (1) के अधीन गठित समिति को केन्द्रीय सरकार के समक्ष रिपोर्ट प्रस्तुत करने के लिए 31 अगस्त, 1983 तक की आगामी अवधि की गई है।

[सं. एम-12011/5/80-भा.सां.सं.]

आर. एम. सुन्दरम, अवर सचिव

MINISTRY OF PLANNING

(Department of Statistics)

New Delhi, the 25th March, 1983

S.O. 1771.—In partial modification of this Department Notification No. M-12011/5/80-ISI dated 27th August 1982, the Committee, set up under Sub-Section (1) of Section 9 of the Indian Statistical Institute Act, 1959, to review and evaluate the work of the Indian Statistical Institute, Calcutta, has been given further time up to 31st August '83 to submit its report to the Central Government.

[No. M-12011/5/80-ISI]

R. M. SUNDARAM, Under Secy.

वित्त मंत्रालय

(राजस्व विभाग)

आदेश

नई दिल्ली, 18 मार्च, 1983

स्टाम्प

का. आ. 1772.—भारतीय स्टाम्प अधिनियम, 1899 (1899 का 2) की धारा 9 की उप-धारा (1) के खण्ड (क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उस शल्क को माफ करती है जो हरियाणा वित्तीय निगम द्वारा एक करोड़ सैंतीस लाख पचास हजार रुपये मूल्य के प्रामिसरी नोटों के रूप में जारी किए जाने वाले अठारहवें निर्गम के नियमित बन्धपत्रों पर, उक्त अधिनियम के अन्तर्गत प्रभार्य है।

[सं. 12/83-स्टाम्प-एफ. सं. 33/37/82-बि. क.]

भगवान दास, अवर सचिव

MINISTRY OF FINANCE

(Department of Revenue)

ORDER

New Delhi, the 18th March, 1983

STAMPS

S.O. 1772.—In exercise of the powers conferred by clause (a) of sub-section (1) of section 9 of the Indian Stamp Act, 1899 (2 of 1899), the Central Government hereby remits the duty with which the 18th issue of regular bonds in the form of promissory notes to the value of rupees one Crore thirty-seven lakhs fifty thousands to be issued by the Haryana Financial Corporation are chargeable under the said Act.

[No. 12/83-Stamp-F. No. 33/37/82-ST]

BHAGWAN DAS, Under Secy.

नई दिल्ली, 16 मार्च, 1983

आय-कर

का. आ. 1773.—आय-कर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उप-खण्ड (3) के अन्वय में श्रीय भारत सरकार के राजस्व विभाग की विनांक 16-2-1981 की अधिसूचना सं. 3855 (फा. सं. 398/3/81-आ. क. स. क) का अधिलेखन करते हुए, केन्द्रीय सरकार एतद्वारा श्री के. एम. कोली को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी हैं, उक्त अधिनियम के अन्तर्गत कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है।

2. यह अधिसूचना, श्री के. एम. कोली द्वारा कर वसूली अधिकारी के रूप में कार्यभार ग्रहण किए जाने की तारीख से लागू होगी।

[सं. 5133/फा. सं. 398/4/83-आ. क. ब.]

New Delhi, the 18th March, 1983

INCOME-TAX

S.O. 1773.—In pursuance of sub-section (iii) of clause (44) of section 2 of the Income-tax Act, 1961 (43 of 1961), and in supersession of Notification of the Government of India in the Department of Revenue No. 3855 (F. No. 398/3/81-ITCC) dated 16-2-1981, the Central Government hereby authorises Shri K. M. Koli being a Gazetted Officer of the Central Government, to exercise the powers of Tax Recovery Officer under the said Act.

2. This Notification shall come into force with effect from the date Shri K. M. Koli takes over charge as Tax Recovery Officer.

[No. 5133/F. No. 398/4/83-ITB]

आय-कर

का. आ. 1774.—आय-कर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उप-खण्ड (3) के अन्वय में और भारत सरकार के राजस्व विभाग की विनांक 3-2-1983 की अधिसूचना सं. 5086 (फा. सं. 398/38/82-आ. क. ब.) का अधिलेखन करते हुए, केन्द्रीय सरकार एतद्वारा श्री जे. आर. जैन को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी हैं, उक्त अधिनियम के अन्तर्गत कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है।

2. यह अधिसूचना, श्री जे. आर. जैन द्वारा कर वसूली अधिकारी के रूप में कार्यभार ग्रहण किए जाने की तारीख से लागू होगी।

[सं. 5131/फा. सं. 398/4/83-आ. क. ब.]

INCOME-TAX

S.O. 1774.—In pursuance of sub-clause (iii) of clause (44) of section 2 of the Income-tax Act, 1961 (43 of 1961), and in supersession of Notification of the Government of India in the Department of Revenue No. 5086 (F. No. 398/38/82-ITB) dated 3-2-1983 the Central Government hereby authorises Shri J. R. Jain, being a Gazetted Officer of the Central Government, to exercise the powers of a Tax Recovery Officer under the said Act.

This Notification shall come into force with effect from the date Shri J. R. Jain takes over charge as Tax Recovery Officer.

[No. 5131/F. No. 398/7/83-ITB]

आय-कर

का. आ. 1775.—आय-कर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उप-खण्ड (3) के अन्वय में

और भारत सरकार के राजस्व विभाग की दिनांक 31-12-1982 की अधिसूचना सं. 5041 (फा. सं. 398/38/82-आ. क. ब.) का अधिलेखन करते हुए, केन्द्रीय सरकार एतद्वारा श्री जी. सी. वर्मा को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी हैं, उक्त अधिनियम के अन्तर्गत कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है।

2. यह अधिसूचना, श्री जी. सी. वर्मा द्वारा कर वसूली अधिकारी के रूप में कार्यभार ग्रहण किए जाने की तारीख से लागू होगी।

[सं. 5129 फा. सं. 398/7/83-आ. क. ब.]

एन. के. शुक्ल, अवर सचिव

INCOME-TAX

S.O. 1775.—In pursuance of sub-clause (iii) of clause (44) of section 2 of the Income-tax Act, 1961 (43 of 1961), and in supersession of Notification of the Government of India in the Department of Revenue No. 5041 (F. No. 398/38/82-ITB) dated 31-12-1982, the Central Government hereby authorises Shri G. C. Verma, being a Gazetted Officer of the Central Government, to exercise the powers of a Tax Recovery Officer under the said Act.

2. This Notification shall come into force with effect from the date Shri G. C. Verma takes over charge as Tax Recovery Officer.

[No. 5129 F. No. 398/7/83-ITB]

N. K. SHUKLA, Under Secy.

केन्द्रीय उत्पाद शुल्क और सीमाशुल्क बोर्ड

नई दिल्ली, 9 अप्रैल, 1983

सं. 100/83-सीमा-शुल्क

का. आ. 1776.—केन्द्रीय उत्पाद-शुल्क और सीमाशुल्क बोर्ड, सीमाशुल्क अधिनियम, 1962 (1962 का 52) की धारा 9 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, महाराष्ट्र राज्य में रायगढ़ जिले के उरन तालुका में भेडखल गांव को भाण्डागार स्टेशन के रूप में घोषित करता है।

[फा. सं. 473/42/83-सी. शु. -7]

एन. के. कपूर, अवर सचिव

CENTRAL BOARD OF EXCISE AND CUSTOMS

New Delhi, the 9th April, 1983

NO. 100/83-CUSTOMS

S.O. 1776.—In exercise of the powers conferred by section 9 of the Customs Act, 1962 (52 of 1962), the Central Board of Excise and Customs hereby declares Village Bhendkhal in Uran Taluka of Raigad District in the State of Maharashtra, to be a warehousing station.

[F. No. 473/42/83-CUS.VII]

N. K. KAPUR, Under Secy.

केन्द्रीय प्रत्यक्ष कर बोर्ड

नई दिल्ली, 23 मार्च, 1982

आय-कर

का. आ. 1777.—केन्द्रीय प्रत्यक्ष कर बोर्ड, आयकर अधिनियम, 1961 (1961 का 43) की धारा 121 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, निदेश देता है कि इससे उपाबद्ध अनुसूची के स्तंभ (1) में विनिर्दिष्ट आयकर आयुक्त जिनका मुख्यालय अनुसूची

के स्तंभ (2) में विनिर्दिष्ट है, अपने कृत्यों का पालन ऐसे क्षेत्रों, ऐसे व्यक्तियों या ऐसे मामलों अथवा मामलों के वर्गों की बाबत करेंगे जो उक्त अनुसूची के स्तंभ (3) में निर्दिष्ट आयकर आयुक्त की अधिकारिता में समाविष्ट है:

परन्तु यह कि आयकर आयुक्त अपने कृत्यों का पालन ऐसे व्यक्तियों या ऐसे मामलों का बाबत भी करेगा जो केन्द्रीय प्रत्यक्ष कर बोर्ड द्वारा उसके अधीनस्थ किसी आयकर प्राधिकारी को, समनुदेशित किए गए हैं या किए जाए। परन्तु यह और कि आयकर आयुक्त अपने कृत्यों का पालन ऐसे व्यक्तियों या ऐसे मामलों में नहीं करेगा जो उसकी अधिकारिता के बाहर के किसी आयकर प्राधिकारी को समनुदेशित किए गए हैं या किए जाएं।

1	2	3
अन्वेषण दिल्ली	दिल्ली आयकर आयुक्त दिल्ली, I	दिल्ली II, दिल्ली III,
		दिल्ली IV, दिल्ली V,
		दिल्ली VI, दिल्ली VII.

यह अधिसूचना 2-11-1981 को प्रवृत्त होगी।

[सं. 4527/फा. सं. 187/25/81 आय कर (ए. आर्. 0)]

CENTRAL BOARD OF DIRECT TAXES

New Delhi the 23rd March, 1982

(INCOME-TAX)

S.O. 1777.—In exercise of the powers conferred by sub-section (i) of Section 121 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes, hereby directs that the Commissioner of Income-tax specified in Column (1) of the Schedule hereto annexed with headquarters specified in Column (2) thereof shall perform his functions in respect of such areas or such persons or of such cases or classes of cases as are comprised in the jurisdiction of the Commissioner of Income-tax referred to in column (3) of the said schedule.

Provided that the Commissioner of Income-tax shall also perform his functions in respect of such persons or such cases as have been or may be assigned by the Central Board of Direct Taxes to any Income-tax authority subordinate to him. Provided further that the Commissioner shall not perform his functions in respect of such persons or such cases as have been or may be assigned to any Income-tax authority outside his jurisdiction.

SCHEDULE

Commissioner of Income-Tax	Head-quarters	Jurisdiction
1	2	3
Investigation Delhi.	Delhi	Commissioners of Income-tax, Delhi-I, Delhi-II, Delhi-III, Delhi-IV, Delhi-V, Delhi-VI, Delhi-VII.

This notification shall come into effect from 2-11-1981.

[No. 4527/F. No. 187/25/81—IT(AI)]

आय-कर

का० भा० 1778.—केन्द्रीय प्रत्यक्ष कर बोर्ड ने आयकर अधिनियम, 1961 (1961 का 43) की धारा 121 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए आयकर आयुक्त अन्वेषण दिल्ली को, आयकर आयुक्त दिल्ली I, II, III, IV, V, VI और VII के साथ समवर्ती अधिकारिता प्रदान की है। अतः केन्द्रीय प्रत्यक्ष कर बोर्ड द्वारा 121 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए निदेश देता है कि इससे उपाबद्ध अनुसूची के स्तम्भ (1) में विनिर्दिष्ट आयकर आयुक्त हो जिसका मुख्यालय उसके स्तम्भ (2) में विनिर्दिष्ट है, कृत्यों का पालन ऐसा मामलों या मामलों के वर्ग की बाबत करेगा जो उक्त अनुसूची के स्तम्भ 3 में निर्दिष्ट है और आयकर आयुक्त दिल्ली I, II, III, IV, V, VI, VII और उक्त अनुसूची के स्तम्भ (3) में निर्दिष्ट मामलों या मामलों के वर्गों में कृत्य नहीं करेगा :

अनुसूची

आयकर आयुक्त	मुख्यालय	अधिकारिता
1	2	3
अन्वेषण दिल्ली	दिल्ली	जहाँ विवरणियाँ प्रथम बार तारीख 1-5-80 या उससे पूर्व फाइल की गई थी वहाँ सभी नए मामलों के संबंध में कार्यवाही करने वाले सर्वेक्षण सर्किल या ऐसे मामले जिनमें अभी तक निर्धारण नहीं हुआ है और जहाँ आयकर आयुक्त दिल्ली, I, II, III, IV, V, VI और VII और आयकर आयुक्त (अन्वेषण) दिल्ली की क्षेत्रीय अधिकारिता के संबंध में आयकर अधिनियम की धारा 139 (2) या 148 के अधीन सूचना ता०

1

2

3

1-7-80 को या उसके पश्चात् जारी की जाती है, सिवाय ऐसे मामलों के जो कंपनी सर्किल, ठेकेदार सर्किल, परिवहन सर्किल, वेतन सर्किल, प्राईवेट वेतन सर्किल, टी डी एस सर्किल, न्यास सर्किल, चार्टर्ड अकाउंटेंट सर्किल, डाक्टर सर्किल, विधि व्यवसायी सर्किल और प्रतिदाय सर्किल, नई दिल्ली से संबंधित है।

यह अधिसूचना 2 नवम्बर, 1981 से प्रवृत्त होगी।

[सं० 4528/फा० सं० 187/25/81-आई० टी० (ए आई)]

बी० बी० श्रीनिवासन, सचिव

(INCOME-TAX)

S.O. 1778.—Whereas in exercise of the powers conferred by sub-section (1) of section 121 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes have conferred on Commissioner of Income-tax, Investigation, Delhi Jurisdiction concurrent with those of the Commissioners of Income-tax, Delhi-I, II, III, IV, V, VI and VII, the Central Board of Direct Taxes in exercise of the powers conferred by sub-section (2) of Section 121, hereby directs that the Commissioner of Income-tax specified in Column 1 of the Schedule hereto annexed with head-quarters specified in column (2) thereof shall alone perform functions in respect of such cases or classes of cases as are referred to in column (3) of the said schedule and the Commissioners of Income-tax, Delhi-I, II, III, IV, V, VI & VII shall not exercise functions over the cases or classes of cases as are referred to in column 3 of the said schedule.

SCHEDULE

Commissioner of Income-tax	Head-quarters	Jurisdiction
1	2	3
Investigation Delhi.	Delhi	Survey Circles dealing with all new cases where returns were filed for the first time on or after 1-5-80 or cases which have not hitherto been assessed and where

1	2	3
		notice under section 139(2) or 148 of the Income-tax Act has to be issued on or after 1-7-80 pertaining to the territorial jurisdiction of Commissioners of Income-tax, Delhi-I, II, III, IV, V, VI and VII and commissioner of Income-tax, (Investigation), Delhi except cases relating to Companies Circle, Contractors Circle, Transport Circle, Salary Circles, Private Salary Circle, TDS, Circle, Trust Circles, Chartered Accountants Circle, Doctors Circle, Lawyers Circle and Refund Circles, New Delhi.

This notification shall come into force from 2nd November, 1981.

[No. 4528/F. No. 187/25/81-IT(AI)]

V. B. SRINIVASAN, Secy.

नई दिल्ली, 18 मार्च, 1983

आय-कर

क्रा० प्रा० 1779.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 122 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा इस संबंध में दिनांक 14-1-1982 की पूर्ववर्ती अधिसूचना सं० 4414 (फा० सं० 261/15/81-आ० क० न्या०) का अधिलेखन करते हुए, केन्द्रीय प्रत्यक्ष कर बोर्ड, एतद्वारा निदेश देता है कि निम्न-लिखित अनुसूची के स्तम्भ (2) में विनिर्दिष्ट रेंजों के अपीलीय सहायक आयकर आयुक्त, आयकर से निर्धारित उन सभी व्यक्तियों और आय को छोड़ कर जिन पर अधिकारिता आयकर आयुक्त (अपील) में निहित है, उक्त अनुसूची के स्तम्भ (3) की तत्संबंधी प्रविष्टि में विनिर्दिष्ट आयकर परिमण्डलों, वार्डों तथा जिलों में आयकर से निर्धारित

सभी व्यक्तियों और आय के संबन्ध में अपने कार्यों का निर्वहन करेंगे:-

अनुसूची

क्रम सं०	रेंज	आयकर परिमण्डल/वार्ड तथा जिले
1	3	3
1.	इलाहाबाद रेंज 'क'	(i) (घ) और (ङ) वार्डों को छोड़ कर इलाहाबाद परिमण्डल। (ii) केन्द्रीय परिमण्डल, इलाहाबाद (iii) फतेहपुर। (iv) जौनपुर।
2.	इलाहाबाद रेंज, 'ख'	(i) एस० आई० सी० इलाहाबाद क तथा ख वार्ड। (ii) (घ) तथा (ङ) वार्ड इलाहाबाद परिमण्डल। (iii) प्रतापगढ़। (iv) सुल्तानपुर। (v) मिर्जापुर परिमण्डल क तथा ख वार्ड। (vi) रोबर्ट्सगंज।
3.	वाराणसी रेंज 'क'	(i) वाराणसी परिमण्डल के क, ख, ग वार्ड। (ii) केन्द्रीय परिमण्डल, वाराणसी (iii) बलिया।
4.	वाराणसी रेंज 'ख'	(i) वाराणसी परिमण्डल के घ, ङ च तथा घ वार्ड। (ii) गाजीपुर। (iii) मोनाथ भजन (iv) भदोही।
5.	गोरखपुर रेंज	(i) क, ख, ग, घ तथा ङ वार्ड, गोरखपुर। (ii) केन्द्रीय परिमण्डल, गोरखपुर। (iii) देवरिया। (iv) बस्ती। (v) बहराईस। (vi) गोंडा। (vii) क तथा ख वार्ड, फैजाबाद। (viii) आजमगढ़।

2. जहां कोई आय कर परिमण्डल, वार्ड तथा जिला अथवा उसका कोई भाग इस अधिसूचना द्वारा एक रेंज से किसी अन्य रेंज में अन्तर्गत कर दिया जाता है, उस आयकर परिमण्डल, वार्ड तथा जिला अपना उसके किसी भाग में किए गए पर निर्धारणों से उत्पन्न होने वाली और इस अधिसूचना की तारीख से तत्काल पूर्व उस अपीलीय सहायक आयकर आयुक्त के समक्ष विधाराधीन पड़ी अपीलें,

जिसके अधिकार क्षेत्र से उस आयकर परिमण्डल, वार्ड अथवा जिला अथवा उसका कोई भाग अंतरित किया गया हो इस अधिसूचना के लागू होने की तारीख से रेंज के उस अपीलीय सहायक आयकर आयुक्त को अंतरित की जायेगी, तथा उसके द्वारा उन पर कार्यवाही की जाएगी जिसके अधिकार क्षेत्र में उक्त परिमण्डल, वार्ड अथवा जिला अथवा उसका कोई भाग अंतरित किया गया हो।

3. जहां सभी परिमण्डल, वार्ड अथवा जिले, जिनका मुख्यालय किसी स्थान विशिष्ट पर है, एक अपीलीय सहायक आयुक्त के सुपुर्व किये गए हैं वहां वह इन मुख्यालयों के परिमण्डलों, वार्डों तथा जिलों के संबंध में भी क्षेत्राधिकार का प्रयोग करेगा जो अब समाप्त भी हो चुके हैं।

4. यह अधिसूचना 1-4-1983 से लागू होगी।

[सं० 5135/फा० सं० 261/20/82-आ० का० न्या०]

के० एम० सुलतान, अवर सचिव

New Delhi, the 18th March, 1983

INCOME-TAX

S.O. 1779.—In exercise of the powers conferred by sub-section (1) of section 122 of the Income-tax Act, 1961 (43 of 1961) and in supercession of the previous Notification No. 4414 (F. No. 261/15/81-ITJ) dated 14-1-1982 in this regard the Central Board of Direct Taxes hereby directs that the Appellate Assistant Commissioners of Income-tax of the ranges specified in column 2 of the Schedule below shall perform their functions in respect of all persons and incomes assessed to income tax in the Income Tax Circles, Wards or Districts specified in the corresponding entry in column 3 thereof excluding all persons and incomes assessed to income tax over which the jurisdiction rests in Commissioner of Income-tax (Appeals).

SCHEDULE

S. No.	Ranges	Income Tax Circle/Wards & Districts.
1	2	3
1.	Allahabad Range 'A' Allahabad.	(i) Allahabad Circle excluding D and E Wards. (ii) Central Circle, Allahabad. (iii) Fatehpur. (iv) Jaunpur.
2.	Allahabad Range 'B' Allahabad.	(i) S.I.C. Allahabad A and B Wards. (ii) D & E Wards of Allahabad Circle.

1	2	3
		(iii) Pratapgarh. (iv) Sultanpur. (v) Mirzapur Circle A & B Wards. (vi) Robertsganj.
3. Varanasi Range A		(i) A, B, C Wards of Varanasi Circle. (ii) Central Circle, Varanasi. (iii) Ballia.
4. Varanasi Range 'B'		(i) D, E, F & G wards of Varanasi Circle. (ii) Ghazipur. (iii) Maunath Bhajan. (iv) Bhadohi.
5. Gorakhpur Range.		(i) A, B, C, D, & E Wards, Gorakhpur. (ii) Central Circle, Gorakhpur. (iii) Deoria (iv) Basti. (v) Behraich. (vi) Gonda. (vii) A & B Wards, Faizabad. (viii) Azamgarh.

2. Where an Income Tax Circles, Ward and District or part thereof stands transferred by this Notification from one Range to another Range, appeals arising out of assessments made in that Income Tax Circle, Ward or District or part thereof and pending immediately before the date of this Notification before the Appellate Assistant Commissioner of Income Tax from whom that Income Tax Circle, Ward or District or part thereof is transferred shall from the date of this Notification shall take effect be transferred to and dealt with by the Appellate Asstt. Commissioner of Income Tax of the range to whom the said Circle, Ward or District or part thereof is transferred.

3. Where all Circle, Wards or District having headquarters at a particular place have been assigned to an Appellate Assistant Commissioner he will have jurisdiction in respect of Circles, Wards and Districts at these headquarters since abolished also.

4. This Notification shall take effect from 1-4-83.

[No. 5135/F. No. 261/20/82-ITJ]

K. M. SULTAN, Under Secy.

(वित्तिक कार्य विभाग)

(बैंकिंग प्रभाग)

नई दिल्ली, 18 मार्च, 1983

का०आ० 1780.—भारतीय रिजर्व बैंक अधिनियम, 1934 (1934 का 2) की धारा 9 की उपधारा (1) द्वारा प्रदत्त शक्तियों के अनुसरण में, केन्द्र सरकार, एतद्वारा संलग्न सारणी के कालम 2 में विनिर्दिष्ट व्यक्तियों को, उक्त सारणी के कालम 3 में विनिर्दिष्ट क्षेत्रों के स्थानीय बोर्डों में 18 मार्च 1983 से सदस्यों के रूप में नियुक्त करती है।

सारणी

1	2	3
1. पूर्वीक्षेत्र	श्री जहारलाल सेनगुप्त, अध्यक्ष तथा प्रबंध निदेशक, क्लोराईड इंडिया लि०, एक्साईड हाउस, 59 ई, चौरंगी रोड, कलकत्ता-700020	श्री ए० एन० हक्सर
2. उत्तरी क्षेत्र	डा० एस० आर० सेन, 41, पूर्वी मार्ग, वसंत विहार, नई दिल्ली-110057	डा० भरत राम

[सं० एफ 7/1/81-बी०ओ० 1(1)]

(Department of Economic Affairs,
(Banking Division)

New Delhi, the 18th March, 1983

S. O. 1780.—In exercise of the powers conferred by sub-section (1) of section 9 of the Reserve Bank of India Act, 1934 (2 of 1934), the Central Government hereby appoints, with effect from 18th March, 1983 the persons specified in column 2 of the Table hereto annexed to be members of the Local Boards for the areas specified in column 1 thereof in place of the persons specified in the corresponding entry in column 3 of the said Table :

TABLE

(1)	(2)	(3)
1. The Eastern Area	Shri Jaharlal Sen Gupta Chairman and Managing Director, Chloride India Ltd., Exide House, 59-E Chowringhee Road, Calcutta-700020.	Shri A.N. Haksar

1	2	3
2. The Northern Area:	Dr. S.R. Sen, 41, Poorvi Marg, Vasant Vihar, New Delhi-110057.	Dr. Bharat Ram

[No F. 7/1/81-BO. I(1)]

का०आ० 1781.—भारतीय रिजर्व बैंक अधिनियम, 1934 (1934 का 2), धारा 8 उपधारा (i) खण्ड (ख) द्वारा प्रदत्त शक्तियों के अनुसरण में केन्द्रीय सरकार, एतद्वारा 18 मार्च, 1983 से निम्नलिखित व्यक्तियों को भारतीय रिजर्व बैंक के केन्द्रीय बोर्ड के निदेशक के रूप में नामित करती है, अर्थात्:—

1. श्री जहारलाल सेनागुप्त, अध्यक्ष तथा प्रबंध निदेशक, क्लोराईड इंडिया लि०, एक्साईड हाउस, 59ई, चौरंगी रोड, कलकत्ता 700020	पूर्वी क्षेत्र के स्थानीय बोर्ड से
2. डा० एस० आर० सेन, 41, पूर्वी मार्ग, वसंत विहार, नई दिल्ली-110057	उत्तरी क्षेत्र के स्थानीय बोर्ड से

[सं० एफ० 7/1/81 बी० ओ० 1 (2)]

S.O. 1781.—In exercise of the powers conferred by clause (b) of sub-section (1) of section 8 of the Reserve Bank of India Act, 1934 (2 of 1934), the Central Government hereby nominates, with effect from the 18th March, 1983, the following persons to be Directors of the Central Board of the Reserve Bank of India, namely :—

1. Shri Jaharlal Sen Gupta, Chloride India, Ltd., Chairman and Managing Director, Exide House, 59-E Chowringhee Road, Calcutta-700020.	From the Local Board for the Eastern Area.
2. Dr. S.R. Sen, 41, Poorvi Marg, Vasant Vihar, New Delhi -110057.	From the Local Board for the Northern Area.

[No. E. 7/1/81-BO.I(2)]

कां० 1782 भारतीय रिजर्व बैंक अधिनियम, 1934 (1934 का 2) की धारा 8 के खण्ड (ग) की उपधारा (1) द्वारा प्रदत्त शक्तियों के अनुसरण में केन्द्रीय सरकार, एतद्वारा निम्नलिखित व्यक्तियों को 18 मार्च, 1983 से भारतीय रिजर्व बैंक के केन्द्रीय बोर्ड में निदेशक के रूप में नामित करती है, अर्थात् :-

1. श्री अशोक कुमार जैन श्री अकबर हैदरी के स्थान पर
अध्यक्ष
बैनेट कोलमैन एण्ड कं० लि०
टाइम्स हाउस,
7, बहादुर शाह जफर मार्ग,
नई दिल्ली-110002
2. श्री आर०पी० गोयनका, श्री जहाँगीर पटेल के स्थान पर
उद्योगपति,
31, नेताजी सुभाष रोड,
कलकत्ता-700001 (प० बंगाल)
3. डा० ए० एस० कहलोन, डा० वी० कुरियन के स्थान पर
17 डी०, सरबा नगर,
लुधियाना (पंजाब)
4. श्री रघुराज, श्री बी० वेंकटप्पैया के स्थान पर
अध्यक्ष एवं प्रबन्धनिदेशक, एयर
इण्डिया,
एयर इण्डिया बिल्डिंग,
नरीमन प्वाइंट,
बम्बई-400021 (महाराष्ट्र)
5. श्री आदित्य वी० बिरला, श्री एस० एल० किलोस्कर के
उद्योगपति, स्थान पर
इंडस्ट्री हाउस,
159, चर्च गेट रिकलेमेशन,
बम्बई-400020 (महाराष्ट्र)
6. श्री आर गणेशन, श्री एम० पी० चिताले के स्थान पर
सनदी लेखाकार, पर
4, जैन मंदिर मार्ग,
नई दिल्ली-110001
7. श्री पी० एन० देवराजन, डा० डी० पी० सिंह के स्थान पर
अध्यक्ष,
प्रोजेक्ट्स डेवलपमेंट आर्गेनाइजेशन,
'निर्मल' 15 वांतल,
नरीमन प्वाइंट,
बम्बई-400021 (महाराष्ट्र)

S.O.1782.—In exercise of the powers conferred by clause (c) of sub-section (1) of section 8 of the Reserve Bank of India Act, 1934, (2 of 1934), the Central Government hereby nominates the following persons to be the Directors of the Central Board of the Reserve Bank of India, with effect from the 18th March, 1983 :—

1. Shri Ashok Kumar Jain Vice Shri Akbar
Chairman, Hydari
Bennett, Coleman & Co.
Ltd.,
Times House,
7 Bahadur Shah Zafar Marg,
New Delhi-110002.
2. Shri R.P. Goenka Vice Shri Jehangir
Industrialist, Patel
31, Netaji Subhas Road,
Calcutta-700001
(West Bengal).
3. Dr. A.S. Kahlon Vice Dr. V. Kurien
17-D, Saraba Nagar
Ludhiana (Punjab).
4. Shri Raghu Raj, Vice Shri B.
Chairman-cum-Managing Venkatappiah
Director,
Air India
Nariman Point,
Bombay-400021
(Maharashtra)
5. Shri Aditya V. Birla Vice Sh. S.L. Kirloskar
Industrialist,
Industry House,
159, Churchgate Reclama-
tion,
Bombay-400020.
(Maharashtra)
6. Shri R. Ganesan, Vice Shri M.P.
Chartered Accountant, Chitale.
4, Jain Mandir Road,
New Delhi-110001. Chitale.
7. Shri P.N. Devarajan Vice Dr. D.P. Singh
President,
Projects Development
Organisation, Nirmal,
15th Floor, Nariman Point
Bombay-400021.
(Maharashtra).

[सं० एफ० 7/1/81 बी० ओ० 1 (3)]

आर० के०. कौल, अवर सचिव

[No. F. 7/1/81-BO.I(3)]

R. K. KAUL, Addl. Secy.

नई दिल्ली, 22 मार्च, 1983

का० आ० 1783—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर एतद्वारा यह घोषणा करती है कि उक्त अधिनियम की तीसरी अनुसूची के फार्म "क" के साथ संलग्न टिप्पणी (च) के उपबन्ध, 31 दिसम्बर, 1982 की स्थिति के अनुसार तैयार किए गए निम्नलिखित बैंकों के तुलन-पत्रों पर, उस सोमा तक लागू नहीं होंगे जब उक्त फार्म की सम्पत्ति तथा परिसम्पत्ति शीर्ष की मद 4 के उपशीर्ष (ii), (iii), (iv) और (v) के सामने अन्दर के कालम में दिखाया गया मूल्य उस उपशीर्ष के अन्तर्गत निवेशों के बाजार मूल्य से बढ़ जाएगा। उस उपशीर्ष के अन्तर्गत किए गए निवेशों का बाजार मूल्य कोष्ठकों के अन्दर अलग से दिखाया गया है:—

1. सेन्ट्रल बैंक आफ इंडिया
2. ओरिएण्टल बैंक आफ कामर्स
3. बैंक आफ राजस्थान लि०
4. बैंक आफ महाराष्ट्र
5. बैंक आफ इंडिया
6. पंजाब नेशनल बैंक
7. यूनियन बैंक आफ इंडिया

[संख्या 15/2/83 बी० ओ० III]

New Delhi, the 22nd March, 1983

S.O. 1783.—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 (10 of 1949) the Central Government on the recommendation of the Reserve Bank of India, hereby declares that the provisions of Note (f) appended to the form 'A' in the Third Schedule to the said Act shall not apply to the following banks, viz :—

1. Central Bank of India,
2. Oriental Bank of Commerce,
3. Bank of Rajasthan Ltd.,
4. Bank of Maharashtra,
5. Bank of India.
6. Punjab National Bank,
7. Union Bank of India.

In respect of their balance-sheet as on the 31st December, 1982 which when the value shown in the inner column against any of the sub-heads (ii), (iii), (iv) and (v) of the item 4 of the Property and Assets side of the said Form exceeds the market value of the investments under that sub-head, shows separately within brackets the market value of the investments under that sub-head.

[No. 15/2/83-B.O. III]

1504 GI/82 —2

नई दिल्ली, 24 मार्च, 1983

का० आ० 1784.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर एतद्वारा घोषणा करती है कि उपर्युक्त अधिनियम के खंड 10 ख के उपखंड (1) और (2) के उपबन्ध, 3 मार्च, 1983 से 2 जुलाई, 1983 का चार महोनों की अवधि तक अथवा नए अध्यक्ष की नियुक्ति होने तक, दोनों में से जो भी पहले हो, मिराज स्टेट बैंक लि०, मिराज पर लागू नहीं होंगे।

[सं० 15/5/83-बी० ओ० III]

एत० बी० बत्रा, अवर सचिव

New Delhi, the 24th March, 1983

S.O. 1784.—In exercise of the powers conferred by Section 53 of the Banking Regulation Act 1949 (10 of 1949), the Central Government, on the recommendations of the Reserve Bank of India, hereby declares that the provisions of sub-section (1) and (2) of Section 108 of the said Act shall not apply to Miraj State Bank Ltd., Miraj for a period of 4 months with effect from 3rd March, 1983 upto 2nd July 1983 or till the new Chairman assumes charge, whichever is earlier.

[No. 15/5/83-B. O. III]

N. D. BATRA, Under Secy.

नई दिल्ली, 25 मार्च, 1983

का.आ. 1785.—भारतीय निर्यात-आयात बैंक अधिनियम, 1981 (1981 का 28) की धारा 6 की उप-धारा (1) के अनुसरण में, और भारत सरकार, वित्त मंत्रालय, आर्थिक कार्य विभाग (बैंकिंग प्रभाग) की 27 फरवरी, 1982 की अभिसूचना संख्या का. आ. 1179 के अधिक्रमण में, केन्द्रीय सरकार, एतद्वारा 25 मार्च, 1983 की ओर से निम्नलिखित व्यक्तियों को भारतीय निर्यात-आयात बैंक के निदेशक बोर्ड में निदेशकों के रूप में नामित करती है, अर्थात् :—

धारा 6 की उप-धारा (1) के खंड (ख) के अधीन नामित :—

श्री अमिताभ घोष,
उप-गवर्नर,
भारतीय रिजर्व बैंक,
बम्बई-400001 (महाराष्ट्र)।

धारा 6 की उप-धारा (1) के खंड (घ) के अधीन नामित :—
अध्यक्ष एवं प्रबन्ध निदेशक,

एक्सपोर्ट क्रेडिट एण्ड गारण्टी कारपोरेशन लि.,
एक्सप्रेस टावर, 10वां माला,
बम्बई-400001 (महाराष्ट्र)।

धारा 6 की उप-धारा (1) के खंड (ङ) के उप-खंड (1) के अधीन नामित :—

1. श्री एस. एम. घोष,
सचिव,
औद्योगिक विकास विभाग,
नई दिल्ली।

2. श्री आशिष हुसैन,
सचिव,
वाणिज्य मंत्रालय,
नई दिल्ली ।

3. श्री आर. के. कौल,
अपर सचिव,
वित्त मंत्रालय,
आर्थिक कार्य विभाग,
(बैंकिंग प्रभाग),
नई दिल्ली ।

4. श्री विमल जालान,
मुख्य आर्थिक सलाहकार,
वित्त मंत्रालय,
आर्थिक कार्य विभाग,
(बैंकिंग प्रभाग),
नई दिल्ली ।

धारा 6 की उप-धारा (1) के खण्ड (क) के उप-खण्ड (2) के अधीन नामित :—

1. श्री आर. पी. गोयल,
अध्यक्ष,
भारतीय स्टेट बैंक,
केन्द्रीय कार्यालय,
बम्बई-400021 (महाराष्ट्र) ।
2. श्री बी. के. जटजी,
अध्यक्ष एवं प्रबन्ध निदेशक,
यूनाइटेड कामर्सियल बैंक,
प्रधान कार्यालय,
10 विप्लवी श्रीलोक्य महाराज सरणी,
कलकत्ता-700001 (पश्चिम बंगाल) ।
3. श्री आर. रघुपति,
अध्यक्ष एवं प्रबन्ध निदेशक,
सिंडीकेट बैंक,
प्रधान कार्यालय,
मनीपाल-576119, (कर्नाटक) ।

धारा 6 की उप-धारा (1) के खण्ड (क) के उप-खण्ड (3) के अधीन नामित :—

1. श्री जी. डी. शाह,
अध्यक्ष,
इंजीनियरिंग एक्सपोर्ट प्रमोशन काउंसिल,
25, नेताजी सुभाष रोड,
कलकत्ता-700001, (पश्चिम बंगाल) ।

दो वर्ष की अवधि के लिए

2. श्री रौनक सिंह,
अध्यक्ष,
रौनक एंटरप्राइजेज,
17, पार्लियामेंट स्ट्रीट,
नई दिल्ली-110001 ।

दो वर्ष की अवधि के लिए

3. श्री के. एस. रेड्डी,
भारत टेलीविजन लि.,
रेक्स चेम्बर, चौथी माला,
बालचन्द्र होराचन्द्र मार्ग,
बैलाड एस्टेट,
बम्बई-400038, (महाराष्ट्र) ।

दो वर्ष की अवधि के लिए

[सं. एफ. 9/30/82-बी. ओ. 1]

च. वा. मीरचन्दानी, उप-सचिव

New Delhi, the 25th March, 1983

S.O. 1785.—In pursuance of sub-section (1) of section 6 of the Export-Import Bank of India Act, 1981 (28 of 1981), and in supersession of the notification of the Government of India in the Ministry of Finance, Department of Economic Affairs (Banking Division) No. S. O. 1179, dated the 27th February, 1982, the Central Government hereby nominates on and from the 25th March, 1983, the following persons as the Directors of the Board of Directors of the Export-Imports Bank of India, namely :—

Nominated under clause (b) of sub-section (1) of section 6 :—

Shri Amitabha Ghosh,
Deputy Governor,
Reserve Bank of India, Bombay-400001 (Maharashtra).

Nominated under clause (d) of sub-section (1) of section 6 :—

Chairman-cum-Managing Director,
Export Credit and Guarantee Corporation Ltd.,
Express Towers, 10th Floor,
Bombay-400021. (Maharashtra).

Nominated under sub-clause (i) of clause (c) of sub-section (1) of section 6 :—

1. Shri S. M. Ghosh,
Secretary,
Department of Industrial Development,
New Delhi.
2. Shri Abid Hussain,
Secretary,
Ministry of Commerce,
New Delhi.

3. Shri R. K. Kaul,
Additional Secretary,
Ministry of Finance,
Department of Economic Affairs
(Banking Division),
New Delhi.

4. Shri Bimal Jalan,
Chief Economic Adviser,
Ministry of Finance,
Department of Economic Affairs,
New Delhi.

Nominated under sub-clause (ii) of clause (c) of sub-section (1) of section 6 :—

1. Shri R. P. Goyal,
Chairman,
State Bank of India,
Central Office, Bombay-400021 (Maharashtra),
2. Shri B. K. Chatterjee,
Chairman and Managing Director,
United Commercial Bank,
Head Office 10-Binlabi Trailokya Maharaj Sarani,
Calcutta-700001. (West Bengal).

3. Shri R. Raghupathy,
Chairman and Managing Director,
Syndicate Bank,
Head Office, Manipal-576119 (Karnataka).

Nominated under sub-clause (iii) of clause (c) of sub-section (1) of section 6 :—

1. Shri G. D. Shah,
Chairman,
Engineering Export Promotion Council,
25, Netaji Subhas Road,
Calcutta-700001. (West Bengal).

For a period of two years.

2. Shri Raunaq Singh,
Chairman,
Raunaq Enterprises,
17, Parliament Street, New Delhi-110001.

For a period of two years.

3. Shri K. S. Reddy,
Bharat Television Ltd.
Rex Chambers, 4th floor, Walchand Hirachand,
Marg, Ballard Estate,
Bombay-400038 (Maharashtra).

For a period of two years.

[No. F. 9/30/82-BO.I]

C. W. MIRCHANDANI. Dy. Secy.

नई दिल्ली, 19 मार्च, 1983

का. आ. 1786.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा श्री बी. रमेश को मिथिला क्षेत्रीय ग्रामीण बैंक, दरभंगा का अध्यक्ष नियुक्त करती है तथा 22-2-1983 से प्रारम्भ होकर 28-2-1986 को समाप्त होने वाली अवधि को उस अवधि के रूप में निर्धारित करती है जिसके दौरान श्री बी. रमेश अध्यक्ष के रूप में कार्य करेंगे।

[संख्या एफ. 2-64/81-आर.आर.बी.]

New Delhi, the 19th March, 1983

S.O. 1786.—In exercise of the powers conferred by sub-section (1) of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby appoints Shri B. Ramesh as the Chairman of the Mithila Kshetriya Gramin Bank, Darbhanga and specifies the period commencing on the 22-2-1983 and ending with the 28-2-1986 as the period for which the said Shri B. Ramesh shall hold office as such Chairman.

[No. F. 2-64/81-RRB]

नई दिल्ली, 23 मार्च, 1983

का. आ. 1787.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्वारा श्री मुनीर खां को कानपुर क्षेत्रीय ग्रामीण बैंक, कानपुर का अध्यक्ष नियुक्त करती है तथा 27-2-1983 से प्रारम्भ होकर 28-2-1984 को समाप्त होने वाली अवधि को उस अवधि के रूप में निर्धारित करती है जिसके दौरान श्री मुनीर खां अध्यक्ष के रूप में कार्य करेंगे।

[संख्या एफ. 2-61/82-आर.आर.बी.]

राम बेहरा, अवर सचिव

New Delhi, the 23rd March, 1983

S.O. 1787.—In exercise of the powers conferred by sub-section (1) of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), The Central Government hereby appoints Shri Munir Khan as the Chairman of the Kanpur Kshetriya Gramin Bank, Kanpur and specifies the period commencing on the 27th February 1983 and ending with the 28th February 1984 as the period for which the said Shri Munir Khan shall hold office as such Chairman.

[No. F. 2-61/82-RRB]

RAAM BEHRA, Under Secy.

केन्द्रीय उत्पाद शुल्क समाहर्तारिय

समाहर्तारिय अधिसूचना सं. 1/1983

इलाहाबाद, 5 फरवरी, 1983

विषय :—के०उ०शु०—केन्द्रीय उत्पाद शुल्क नियमावली 1944 के अधीन समाहर्ता के शक्ति को सौंपना।

का० आ० 1788.—केन्द्रीय उत्पाद शुल्क नियमावली 1944 के नियम 5 के अन्तर्गत निहित अपनी शक्तियों का प्रयोग करते हुए मैं इसके द्वारा अधिसूचना संख्या 283/82-के०उ०शु० दिनांक 27-11-82 के प्रावधानों के उपयोग चाहते वाले निर्माताओं को केन्द्रीय उत्पाद शुल्क नियमावली 1944 के नियम 56 कक(2) के अन्तर्गत अनुमति देने के लिये अपने क्षेत्राधिकार के अन्दर समाहर्ता, केन्द्रीय उत्पाद शुल्क की शक्तियों का प्रयोग करने के लिये इस समाहर्तारिय के केन्द्रीय उत्पाद शुल्क मण्डलों के प्रभारी सहायक समाहर्ता को सौंपता हूँ।

[पत्र सं० चार (16) 175-नोनि-83]

धर्मपाल आर्य, समाहर्ता

Office of the Collector of Central Excise

COLLECTORATE NOTIFICATION NO. 1/1983

Allahabad, the 5th February, 1983

Subject.—C.E.—Delegation of Collectors' power under Central Excise Rules, 1944.

S.O. 1788.—In exercise of the powers vested in me under Rule 5 under Central Excise Rules, 1944 I hereby delegate the powers of Collector of Central Excise to the Assistant Collector of Central Excise Incharge of Divisions in this Collectorate to be exercised within their respective jurisdiction for grant of permission under Rule 56-AA (2) of Central Excise Rules, 1944, to a manufacturer who seeks to avail of the provisions of Notification No. 283/82-C.E. dated 27-11-1982.

[F. No. IV(16)/175-Pol/83]

D. P. ARYA, Collector

अधिसूचना सं. 2/2-के. उ./1983

कलकत्ता, 4 मार्च, 1983

का. आ. 1789.—केन्द्रीय उत्पाद शुल्क नियमावली, 1944 के नियम 5 (इसमें इसके बाद "उक्त नियम" कहा गया है) में केन्द्रीय उत्पाद शुल्क, कलकत्ता के समाहर्ता के रूप में प्रदत्त अपनी शक्तियों का उपयोग करते हुए मैं, स. मुखोपाध्याय,

समाहर्ता, केन्द्रीय उत्पाद शुल्क, कलकत्ता, इसके द्वारा केन्द्रीय उत्पाद शुल्क, कलकत्ता समाहर्तालय के क्षेत्राधिकार में कार्यरत केन्द्रीय उत्पाद शुल्क सहायक समाहर्ताओं को उनके संबंधित क्षेत्र में उक्त नियमावली के नियम 12 के अधीन केन्द्रीय उत्पाद शुल्क समाहर्ता, कलकत्ता की शक्तियों का उपयोग करने हेतु प्राधिकृत करता है।

[सी. सं. 4(8) 1-के.उ./82]

सु. मुखोपाध्याय, समाहर्ता

NOTIFICATION NO. 2/2-CE/1983.

Calcutta, the 4th March, 1983

S.O. 1789.—In exercise of the powers conferred upon me as the Collector of Central Excise, Calcutta, under Rule 5 of the Central Excise Rules, 1944, (here-in-after referred to as "the said Rules"), I, S. Mukhopadhyay, Collector of Central Excise, Calcutta, hereby authorise the Asstt. Collectors of Central Excise working within the jurisdiction of the Collectorate of Central Excise, Calcutta to exercise the powers of the Collector of Central Excise, Calcutta under Rule 12 of the said Rules in their respective jurisdictions.

[C. No. IV(8)/1-CE/82]

S. MUKHOPADHYAY, Collector.

अधिसूचना सं० 5 के० उ०/1982

कलकत्ता, 13 अक्टूबर, 1982

का० आ० 1790.—केन्द्रीय उत्पाद शुल्क नियमावली, 1944 के नियम-233 द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए मैं इसके द्वारा केन्द्रीय उत्पाद शुल्क टैरिफ, मव सं० 4, उप मद II(3)(ii) के अन्तर्गत आने वाली बिना छाप (बैंड) की हस्तनिर्मित बीड़ियां, जिन पर अधिसूचना सं० 33/82-के० उ०, दिनांक 28-2-82 के अधीन शुल्क मुक्त निकासी की सुविधा प्राप्त है और अधिसूचना सं० 34/82-के० उ०, दिनांक 28-2-82 के अधीन जो एक वित्तीय वर्ष में 16 लाख तक की बीड़ी साप्ताहिक निर्यात से मुक्त हैं, निदेश देता हूँ कि ऐसी बीड़ी के निर्माता यह स्थापित करेंगे कि उनके निर्माण इकाई वाले क्षेत्र केन्द्रीय उत्पाद शुल्क के समुचित अधिकारी की सहमति अनुसार उनकी बीड़ियों का उत्पादन एवं निकासी का लेखा किया जाता है और वे नीचे लिखे प्रपत्र में साधारण केन्द्रीय उत्पाद शुल्क के लेखा का रख-रखाव करेंगे।

तारीख	प्रा० क्षेत्र	निर्मित मात्रा	कुल योग
1	2	3	4
निकासी की मात्रा			
देशीय उप-अध्य प्रयो- योग जनार्थ		प्रणाली निकासी (कुल)	टिप्पणी
5	6	7	8
9	10		

यह अधिसूचना तत्काल प्रभावी होगी।

[सं० V-4(3)/36-सी० ई०/82]

बी० एन० रंगानी, समाहर्ता

NOTIFICATION No. 5CE/1982

Calcutta, the 13th October, 1982

S.O. 1790.—In exercise of the powers conferred upon me under rule 233 of the Central Excise Rules, 1944, I hereby direct that the manufacturers of unbranded hand-made biris falling under sub-item II(3)(ii) of Item No. 4 of Central Excise Tariff availing of the duty free clearance of such Biris as prescribed under Notification No. 33/82-CE, dated 28-2-82 and free from licencing control upto 16 lakhs biris in a financial year under notification No. 34/82-CE, dated 28-2-82 shall unless otherwise establish that the accounting of production and clearances of such biris of their own is maintained to the satisfaction of the proper officer of Central Excise having jurisdiction over such manufacturing Unit, maintain a simple Central Excise account in the proforma appended below:

Date	Opening Balance	Quantity manufactured	Total
(1)	(2)	(3)	(4)
Quantity Cleared Total Progressive Closing Remark for home other Clearance Balance con- purposes (Total) sumption			
(5)	(6)	(7)	(8)
(9)	(10)		

This Notification shall come into force with immediate effect.

[No. V. 4(3)136-CE/82]

B.N. RANGWANI, Collector

वाणिज्य मंत्रालय

अधिसूचना

नई दिल्ली, 4 अप्रैल, 1983

का. बा. 1791.—नियति (क्वालिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 7 द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा मसर्स सुप्रीम पेंट्स कंट्रोल एण्ड स्टोरेज एडवाइजर्स प्राइवेट लिमिटेड, सं. 5, ज्ञानी भवन, 237-12/8 ; गांधी धाम, गुजरात को निम्नलिखित मवों के ध्रुवीकरण के लिए अधिकरण के रूप में एक वर्ष की अवधि के लिए मान्यता देती है :—

1. तेल रहित चावल की भूसी, और
2. पिसी हुई हड्डियां, खुर तथा सींग।

[सं. 5(7)/83-ई. आई. एण्ड ई. पी.]
सी. बी. कुकुरेती, संयुक्त निदेशक

MINISTRY OF COMMERCE

New Delhi, the 4th April, 1983

S.O. 1791.—In exercise of the powers conferred by Section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963) the Central Government hereby recognises for a period of one year M/s. Supreme Pest Control & Storage Advisors Private Limited, No. 5, Giani Bhuvan, 237-12/8, Gandhidham, Gujrat, as an agency for the fumigation of following items :—

1. De-oiled Rice Bran ; and
2. Crushed Bones, Hooves and Horns.

[No. 5(7)/83-EI&EP]

C. B. KUKRETI, Jt. Director

संयुक्त मुख्य नियंत्रक, आयात-निर्यात का कार्यालय,
(केन्द्रीय लाइसेंस क्षेत्र)

निरस्त आदेश

नई दिल्ली, 15 दिसम्बर, 1982

का० प्रा० 1792.—सर्वश्री अलीपुर पाइप एण्ड स्टील टयूबिंग इन्डस्ट्रीज 522/1 पो० औ० अलीपुर, दिल्ली को एक आयात लाइसेंस सं० पी०/एस०/1933489 दि० 23-12-81 वास्ते 1,50,000/- रु०, ऑल सेकेन्ड/सेकन्ड ग्रेड/डिफेक्टिव कटिंग्स/सर्कल एन अन-कोटेड कन्डीशन, ऑल ग्रेड ऑफ कार्बन स्टील प्लेट्स/शीट्स/स्ट्रिप्स कॉयण्स इन ऐनी फॉर्म/शेप, के लिए जारी किया गया था।

आवेदक फर्म ने इस कथन के समर्थन में अब एक शपथ-पत्र आयात-निर्यात की कार्यविधि-पुस्तिका 82-83 के पैरा 353 के अन्तर्गत प्रस्तुत किया है जिसमें कहा गया है उनके ला० सं० पी०/एस०/1933489 दि० 23-12-81 वास्ते 1,50,000/- रु० की दोनों कस्टम तथा एक्सचेंज हेतु कापियां बिना इस्तेमाल किए या किसी कस्टम पर पंजीकृत हुए ही खो गई हैं।

मैं सन्तुष्ट हूँ कि उक्त आयात लाइसेंस की मूल कस्टम और एक्सचेंज हेतु कापी खो गई है।

अतः आयात-व्यापार नियंत्रण आदेश 1955 दि० 7-12-55 (यथा संशोधित) की धारा 9 (सी सी) में प्रदत्त अधिकारों का प्रयोग करते हुए मैं उपरोक्त लाइसेंस सं० पी०/एस०/1933489 दि० 23-12-81 की मूल कस्टम तथा एक्सचेंज हेतु कापियों को निरस्त करने का आदेश देता हूँ।

आवेदक की प्रार्थना पर अब आयात-निर्यात की कार्यविधि-पुस्तिका 1982-83 के पैरा 352 से 354 के अनुसार उक्त लाइसेंस सं० पी०/एस०/1933489 दि० 23/12/81 की कस्टम तथा एक्सचेंज हेतु कापी की अनुलिपि (डुप्लीकेट कापी) जारी करने पर विचार किया जायेगा।

[सं० दिल्ली/ए०-32/सप्ली/ए० एम० 81/ए० यू० 1

सी०/एल०/ए०/2777]

OFFICE OF THE JOINT CHIEF CONTROLLER OF IMPORTS AND EXPORTS

(Central Licensing Area)

CANCELLATION ORDER

New Delhi, the 15th December, 1982

S.O. 1792.—M/s Alipur Pipe and Steel Tubing Industries 522/1 P. O. Alipur, Delhi was granted import licence No. P/S/1933489/C/XX/80/D/80 dated 23-12-81 for Rs. 1,50,000 for imports of All Second/Second Grades/Defectives/Cutting Circles an uncoated condition all grades of Carbon Steel Plates/Sheets/Strips coils in any form/shape.

The applicant has filed an affidavit as required under Para 353 of Hand Book of Import Export proceeding 1982-83. Wherein they have stated that both Custom and Exchange Control Copies of P/S/1933489 dated 23-12-81 for Rs. 1,50,000 for AM-81 period has been misplaced without having been registered with any Customs authority and unutilised at all.

I am satisfied that the original Custom and Exchange purposes copy of the said Licence has been lost/misplaced.

In exercise of the powers conferred on me under subject clause 9(cc) in the Import Trade Control Order 1955 dated 7-12-55 as amended upto date the said Custom Purpose and Exchange Control Copies of P/S/1933489 dated 23-12-81 for Rs. 1,50,000 is hereby cancelled.

The applicant is now being issued duplicate Custom purposes and Exchange Control Copies of Import Licence No. P/S/1933489 dated 23-12-81 for the full amount in accordance with the provision of Paras 352 to 354 of Hand Book of Import Export Procedure, 1982-83.

[File No. Delhi/A-32/Supp/AM-81/AU-1-CLA/2777]

निरस्त आदेश

नई दिल्ली, 10 जनवरी, 1983

का० प्रा० 1793.—सर्वश्री गोल्डन रबड़ गांव रसोई पो० औ० नाथूपुर, जिला सोनीपत को एक आयात लाइसेंस सं० पी०/एस०/1934062/सी०/XX/83/डी० 82 दि० 24-7-82 वास्ते 33,35,915 रु० अप्रैल-मार्च-83 की आयात नीति के अपेन्डिक्स-5 के अन्तर्गत अनुमेय मर्चों के आयात हेतु चावल मिल के रबड़ रोल्ल बनाने के लिए जारी किया गया था।

आवेदक फर्म ने इस कथन के समर्थन में अब एक शपथ-पत्र आयात-निर्यात की कार्यविधि-पुस्तिका 1982-83 के पैरा 353 के अन्तर्गत प्रस्तुत किया है जिसमें उन्होंने कहा है कि उनके ला० सं० पी०/एस०/1934062 दि० 24-7-82 वास्ते 33,35,915/- रु० अप्रैल-मार्च-83 अवधि के लिए की कस्टम हेतु कापी बिना इस्तेमाल किए तथा बिना किसी कस्टम पर पंजीकृत हुए ही खो गई है।

मैं सन्तुष्ट हूँ कि उक्त आयात लाइसेंस की मूल कस्टम हेतु कापी खो गई है।

अतः आयात-व्यापार नियंत्रण आदेश 1955 दि० 7-12-55 (यथा संशोधित) की धारा 9(बी) में प्रदत्त अधिकारों का प्रयोग करते हुए मैं उपरोक्त लाइसेंस सं० पी०/एस० 1934062 दि० 24-7-82 की मूल कस्टम हेतु कापी का निरस्त करने का आदेश देता हूँ।

आवेदक की प्रार्थना पर अब आयात-निर्यात की कार्यविधि-पुस्तिका 1982-83 के पैरा 352 से 354 के अनुसार उक्त लाइसेंस सं० पी०/एस०/1934062 दि० 24-7-82 की कस्टम हेतु कापी की अनुलिपि (डुप्लीकेट कापी) जारी करने पर विचार किया जायेगा।

[सं० हर/जी०-3/ए० एम०-83/ए० यू० 1/सी एल० ए०/3957]

CANCELLATION ORDER

New Delhi, the 10th January, 1983

S.O. 1793.—M/s. Golden Rubbers, Village Rasoi, PO Nathu pur, Distt. Sonapat was granted Import licence No. P/S/1934062/C/XX/83/D/82 dated 24-7-82 for Rs. 33,35,915 for import of permissible items under Appendix-5 of AM-83 Policy Book required for manufacture "Rubber Rolls for Rice Mills".

The applicant has filed an affidavit as required under para 353 of Hand Book of Import Export Procedure, 1982-83. Wherein they have stated that such Custom Purpose Copy of No. P/S/1934062 dated 24-7-82 for Rs. 33,35,915 for AM-83 period has been misplaced without having been registered with any Customs authority and unutilised at all.

I am satisfied that the original Custom purposes copy of the said licence has been lost/misplaced.

In exercise of the powers conferred on me under subject clause 9(d) in the Import Trade Control Order 1955 dated 7-12-55, as amended upto date, the said Custom Purpose Copy of licence P/S/1934062 dated 24-7-82 for Rs. 33,35,915 is hereby cancelled.

The applicant is now being issued duplicate Customs purposes copy of Import licence No. P/S/1934062 dated 24-7-82 for the full amount in accordance with the provision of Paras 352 to 354 of Hand Book of Import Export Procedure, 1982-83.

[File No. Har/G-3/AM-83/AU-1/CLA/3957]

निरस्त आदेश

नई दिल्ली, 13 जनवरी, 1983

का० आ० 1794.—सर्वश्री बाबर (का० एस० के० बर्मन) प्रा० लि० बाबरी गजियाबाद को एक आयात ला० सं० पी०/सी० जी०/2080/88 दिनांक 2-9-82 वाले 32842 रु०, अब आटोमैटिक स्ट्रैपिंग मशीन के आयात हेतु जारी किया गया था।

आवेदक फर्म ने आयात-निर्यात की कार्यविधि-पुस्तिका 1982-83 के पैरा 357 के अन्तर्गत एक शपथ-पत्र प्रस्तुत किया है जिसमें कहा गया है कि उक्त लाइसेंस सं० पी० सी० जी०/2080/88 दि० 2-9-82 वाले 32842 रु० की दोनों, कस्टम तथा एक्सचेंज हेतु कापियां, अप्रैल-मार्च-83 की अवधि के लिये जारी की गईं, बिना इस्तेमाल किए एवं बिना किसी कस्टम पर पंजीकृत हुए ही खो गई हैं।

मैं समुपलब्ध हूँ कि उक्त आयात लाइसेंस की दोनों कस्टम तथा एक्सचेंज हेतु कापियां खो गई हैं।

अतः आयात-निर्यात नियंत्रण आदेश, 1955 वि० 7-12-55 (यथा संशोधित) को धारा 9 (सी० सी०) में प्रवृत्त अधिकारों का प्रयोग करते हुए मैं शपथपत्र लाइसेंस सं० पी०/सी० जी०/2080/88 वि० 2-9-82 की मूल कस्टम और एक्सचेंज कापी को निरस्त करने का आदेश देता हूँ।

आवेदक की प्रार्थना पर अब आयात-निर्यात की कार्यविधि-पुस्तिका, 1982-83 के पैरा 357 के अनुसार उक्त लाइसेंस सं० पी०/सी०/जी०/2080/88 वि० 2-9-82 की कस्टम एवं एक्सचेंज हेतु कापी की अनुलिपि (डुप्लीकेट कापी) जारी करने पर विचार किया जायेगा।

[सं० सी० जी०/बी० जी० टी० बी०/12/ए० एम०/83/ए० यू० II]

सोहन लाल चौहान, उप मुख्य नियंत्रक, आयात-निर्यात

हते संयुक्त मुख्य नियंत्रक आयात-निर्यात

CANCELLATION ORDER

New Delhi, the 13th January, 1983

S.O. 1794.—M/s. Dabur (Dr. S. K. Burman) Pvt Ltd. Dadri, Ghaziabad were granted Import Licence No. F/CG/2080188 dt. 2-9-82 for Rs. 32,842 for import of Semi Automatic Strapping Machine.

The applicant has filed an affidavit as required under para 357 of Hand Book of Import Export Procedure, 1982-83 wherein they have stated that both Custom Purpose Copy and Exchange Control copy of the licence No. P/CG/2080188 dated 2-9-82 for Rs. 32,842 issued for the period A.M. 83 has been lost/ misplaced without having been registered with any custom authority and utilise at all.

I am satisfied that the both Customs Purpose Copy and Exchange Control copy of the licence has been misplaced.

In exercise of the powers conferred on me under subject clause 9(cc) in the Import Trade Control Order, 1955 dt. 7-12-55 as amended upto date, said original custom purpose copy and Exchange Control Copy of Licence No. P/CG/2080188 dt. 2-9-82 for the value of Rs. 32,842 are hereby cancelled.

The applicant is now being issued duplicate of both Customs Purpose Copy and Exchange Control Copy of Import Licence No. P/CG/2080188 dated 2-9-82 for Rs. 32,842 in accordance with the provision of para 357 of Hand Book of Import Export Procedure 1982-83.

[File No. CG/DGTD/12 AM.83/AU. II/CLA]

S. L. CHOHAN, Dy. Controller of Imports and Exports

for Jt. Chief Controller of Imports & Exports.

ऊर्जा मंत्रालय

(कोयला विभाग)

नई दिल्ली, 16 मार्च, 1983

का० आ० 1795.—कोयला खान श्रम कल्याण निधि नियमावली, 1949 के नियम 3 (1) (क) (i) के साथ पठित कोयला खान श्रम कल्याण निधि अधिनियम, 1947 (1947 का 32) की धारा 8 के द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा श्री ल० ना० लहड़ा, संयुक्त सचिव, भारत सरकार, के स्थान पर श्री प्रीतिमान सरकार, संयुक्त सचिव, भारत सरकार ऊर्जा मंत्रालय, कोयला विभाग को उपर्युक्त धारा के अधीन गठित सलाहकार समिति का अध्यक्ष नियुक्त करती है और इस प्रयोजन के लिए भारत सरकार के श्रम मंत्रालय की अधिसूचना संख्या सा० आ० 1264 दिनांक 5 अप्रैल, 1975 में निम्नलिखित संशोधन करती है, अर्थात्:—

उपर्युक्त अधिसूचना में, क्रम सं०-1 और उससे संबंध प्रविष्टियों के स्थान पर निम्नलिखित प्रविष्टियाँ प्रतिस्थापित की जाएँगी, अर्थात्—
 “1. श्री प्रीतिमान सरकार, अध्यक्ष केन्द्रीय सरकार द्वारा संयुक्त सचिव, भारत सरकार नियुक्ति”

[सं० यू०-23018/1/83-सी० एम० इन्फ्यू०]

समय सिंह, अवर सचिव

MINISTRY OF ENERGY

(Department of Coal)

New Delhi, the 16th March, 1983

S.O. 1795.—I exercise of the powers conferred by section 8 of the Coal Mines Labour Welfare Fund Act, 1947, (32 of 1947), read with rule 3(1) (a) (i) of the Coal Mines Labour Welfare Fund Rules, 1949, the Central Government hereby appoints Shri P. Sarkar, Joint Secretary, to the Government of India, Ministry of Energy, Department of Coal, as the Chairman of the Advisory Committee, constituted under the said section vice Shri L.N. Laddha, Joint Secretary to the Government of India and for that purpose amends the notification of the Government of India in the Ministry of Labour, No. S.O. 1264, dated the 5th April, 1975 as follows, namely :—

In the said notification, for serial No. 1 and the entries relating thereto, the following entries shall be substituted, namely :—

“1. Shri P. Sarkar, Chairman—appointed Joint Secretary to the Government of India, by the Central Government.”

[No. U-23018/1/83-CMW.]

SAMAY SINGH, Under Secy.

स्वास्थ्य और परिवार कल्याण मंत्रालय

नई दिल्ली, 22 मार्च, 1983

क्रा० प्रा० 1796.—यतः भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 3 की उप-धारा (1) के खण्ड (ख) के उपबन्ध का पालन करते हुए भागलपुर विश्वविद्यालय की सीनेट ने डा० जी० दास को 23 दिसम्बर, 1982 से भारतीय आयुर्विज्ञान परिषद् का सदस्य निर्वाचित किया है।

अतः अब उक्त अधिनियम की धारा 3 की उप-धारा (1) के अनुसरण में केन्द्रीय सरकार एतद्वारा पूर्ववर्ती स्वास्थ्य मंत्रालय की 9 जनवरी, 1960 की अधिसूचना संख्या 5-13/59 एम० प्रा० ई० में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में “धारा 3 की उपधारा (1) के खण्ड (ख) के अधीन निर्वाचित” शीर्ष के अन्तर्गत क्रम संख्या

58 और उससे सम्बन्धित प्रविष्टियों के स्थान पर निम्नलिखित क्रम संख्या और प्रविष्टियाँ प्रतिस्थापित की जाएँ, अर्थात् :—

“58. डा० जी० दास०

प्रिंसिपल, भागलपुर मेडिकल कालेज,
भागलपुर।”

[सं० बी० 11013/3/83-एम० ई० (पी०)]

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health)

New Delhi, the 22nd March, 1983

S.O. 1796.—Whereas in pursuance of the provisions of clause (b) of sub-section (1) of section 3 of the Indian Medical Council Act, 1956 (102 of 1956) Dr. G. Das, has been elected by the Senate of Bhagalpur University to be a member of the Medical Council of India with effect from the 23rd December, 1982.

Now, therefore, in pursuance of sub-section (i) of section 3 of the said Act, the Central Government hereby makes the following amendment in the notification of the erstwhile Ministry of Health No. 5-13/59-MI, dated the 9th January, 1960, namely :—

In the said notification, under the heading “Elected under clause (b) of sub-section (1) of Section 3” after serial number 58 and entries relating thereto the following serial number and entries shall be substituted, namely :—

“58. Dr. G. Das,

Principal, Bhagalpur Medical College,
Bhagalpur.”

[No. V-11013/3/83-M.E. (P)]

नई दिल्ली, 25 मार्च, 1983

क्रा. डा. 1797.—यतः भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 3 की उप-धारा (1) के खण्ड (ख) के उपबन्ध के अनुसरण में डिब्रुगढ़ विश्वविद्यालय की सीनेट ने डा. एन. जमान को 29 मार्च, 1982 से भारतीय आयुर्विज्ञान परिषद् का सदस्य फिर से निर्वाचित किया है ;

अतः अब उक्त अधिनियम की धारा 7 की उप-धारा (5) के साथ पठित धारा 3 की उप-धारा (1) के खण्ड (ख) के अनुसरण में केन्द्रीय सरकार एतद्वारा पूर्ववर्ती स्वास्थ्य मंत्रालय की 9 जनवरी, 1960 की अधिसूचना संख्या का. आ. 148 के अधीन गठित भारतीय आयुर्विज्ञान परिषद् के सदस्य के रूप में असम मेडिकल कालेज डिब्रुगढ़ के प्रधानाचार्य डा. एन. जमान को पुनः मनोनीत करती है।

[संख्या बी. 11013/13/83-एम. ई. (पी.)]

New Delhi, the 25th March, 1983

S.O. 1797.—Whereas in pursuance of the provision of clause (b) of sub-section (1) of section 3 of the Indian Medical Council Act, 1956 (102 of 1956), Dr. N. Zaman has been re-elected by the Senate of Dibrugarh University to be a member of the Medical Council of India with effect from 29th March, 1982.

Now, therefore, in pursuance of clause (b) of sub-section (i) of section 3 read with sub-section (5) of section 7 of the said Act, the Central Government hereby renominates Dr. N. Zaman, Principal, Assam Medical College, Dibrugarh, to be a member of the Medical Council of India constituted under notification of the erstwhile Ministry of Health No. S. O. 138, dated the 9th January, 1960.

[No. V. 11013/13/81-ME(P)]

का.आ.1798 :—यतः भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 3 की उपधारा (1) के खण्ड (ख) के उपबन्ध का पालन करते हुए पंजाबी विश्वविद्यालय की सीनेट ने डा. धनवन्त सिंह को भारतीय आयुर्विज्ञान परिषद् का सदस्य निर्वाचित किया है।

अतः अब उक्त अधिनियम की धारा 3 की उप-धारा (1) के अनुसरण में केन्द्रीय सरकार एतद्वारा पूर्ववर्ती स्वास्थ्य मंत्रालय की 9 जनवरी, 1960 की अधिसूचना संख्या 5-13/59-एम.ई. में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में “धारा 3 की उप-धारा (1) के खण्ड (ख) के अधीन निर्वाचित” शीर्ष के अन्तर्गत क्रम संख्या 28 और उससे सम्बन्धित प्रविष्टियों के स्थान पर निम्नलिखित क्रम संख्या और प्रविष्टियाँ प्रतिस्थापित की जाएँ, अर्थात् :—

“28. डा. धनवन्त सिंह,

प्रोफेसर एण्ड हेड आफ दी डिपार्टमेंट आफ
आपथालमोलोजी,

गवर्नमेंट मेडिकल कालेज,
पटियाला।”

[सं. वी. 11013/10/83-एम.ई. (पी.)]

S.O. 1798.—Whereas in pursuance of the provision of clause (b) of sub-section (1) of section 3 of the Indian Medical Council Act, 1956 (102 of 1956), Dr. Dhanwant Singh has been elected by the Senate of the Punjabi University to be a member of the Medical Council of India, from the date of issue of this notification.

Now, therefore, in pursuance of sub-section (1) of section 3 read with sub-section (4) of section 7 of the said Act, the Central Government hereby makes the following amendment in the notification of the erstwhile Ministry of Health No. S. O. 138, dated the 9th January, 1960, namely :—

In the said notification, under the heading “Elected under clause (b) of sub-section (1) of section 3” for serial number 28 and the entries relating thereto, the following serial number and entries shall be substituted, namely :—

“28. Dr. Dhanwant Singh,

Professor and Head of the Department of Ophthalmology,

Government Medical College, Patiala.”

[No. V. 11013/10/83-M.E. (Policy)]

का.आ.1799 :—यतः भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 3 की उप-धारा (1) के खण्ड (क) के अनुसरण में केन्द्रीय सरकार ने असम सरकार के परामर्श से डा. सी. चौधरी, प्रिन्सिपल, गौहाटी मेडिकल कालेज, गौहाटी की डा. जे. महंता के स्थान पर भारतीय आयुर्विज्ञान परिषद् का सदस्य मनोनीत किया है ;

अतः अब उक्त अधिनियम की धारा 3 की उप-धारा (1) के उपबन्धों का पालन करते हुए केन्द्रीय सरकार एतद्वारा पूर्ववर्ती स्वास्थ्य मंत्रालय की 9 जनवरी, 1960 की अधिसूचना सं. का. आ. 138 में निम्नलिखित और संशोधन करती है; अर्थात् :—

उक्त अधिसूचना में “धारा 3 की उप-धारा (1) के खण्ड (क) के अधीन मनोनीत” शीर्ष के अन्तर्गत क्रम संख्या 9 और उससे सम्बन्धित प्रविष्टि के स्थान पर निम्नलिखित क्रम संख्या और प्रविष्टि प्रतिस्थापित की जाएँ; अर्थात् :—

“9. डा. डी. सी. चौधरी,

प्रिन्सिपल, गौहाटी मेडिकल कालेज,
गौहाटी, असम।”

[संख्या वी. 11013/12/83-एम.ई. (पी.)]

S.O. 1799.—Whereas the Central Government in pursuance of clause (a) of sub-section (1) of section 3 of the Indian Medical Council Act, 1956 (102 of 1956), and in consultation with the Government of Assam have nominated Dr. D. C. Choudhury, Principal Gauhati Medical College, Gauhati to be a member of the Medical Council of India vice Dr. J. Mahanta.

Now, therefore, in pursuance of the provisions of sub-section (1) of section 3 of the said Act, the Central Government hereby makes the following further amendment in the notification of the late Ministry of Health No. S. O. 138, dated the 9th January, 1960, namely :—

In the said notification, under the heading “Nominated under clause (a) of sub-section (1) of section 3”, for serial number 9 and the entry relating thereto, the following serial number and entry shall be substituted namely :—

“9. Dr. D. C. Choudhury,
Principal Gauhati Medical College,
Gauhati, Assam.”

[No. V. 11013/12/83-M. E. (Policy)]

का.आ.1800 :—यतः भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 3 की उप-धारा (1) के खण्ड (ख) के उपबन्ध का पालन करते हुए मगध विश्वविद्यालय की सीनेट के सदस्यों ने डा. विजय कुमार सिंह को 12 मार्च, 1983 से भारतीय आयुर्विज्ञान परिषद् का सदस्य निर्वाचित किया है ;

अतः अब उक्त अधिनियम की धारा 3 की उप-धारा (1) के अनुसरण में केन्द्रीय सरकार एतद्वारा पूर्ववर्ती स्वास्थ्य मंत्रालय की 9 जनवरी, 1960 की अधिसूचना संख्या 5-13/59-एम.-1 में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में “धारा 3 की उप-धारा (1) के खण्ड (ख) के अधीन निर्वाचित” शीर्ष के अन्तर्गत क्रम संख्या 58 और उससे सम्बन्धित प्रविष्टियों के भाव निम्नलिखित क्रम संख्या और प्रविष्टियाँ प्रतिस्थापित की जाएँ, अर्थात् :—

“58. डा. विजय कुमार सिंह,
मेम्बर आफ दी फैकल्टी आफ मेडिसिन,
मगध विश्वविद्यालय,
बोध गया।”

[सं. वी. 11013/15/83-एम.ई. (पी.)]

S.O. 1800.—Whereas in pursuance of the provision of clause (b) of sub-section (1) of section 3 of the Indian Medical Council Act, 1956 (102 of 1956) Dr. Vijay Kumar Singh has been elected by members of the Senate of Magadh University to be a member of the Medical Council of India with effect from the 12th March, 1983.

Now, therefore, in pursuance of sub-section (i) of Section 3 of the said Act, the Central Government hereby makes the following further amendment in the notification of the late Ministry of Health No. 5-13/59-MI, dated the 9th January, 1960, namely :—

In the said notification, under the heading “Elected under clause (b) of sub-section (1) of Section 3” after serial number 58 and entries relating thereto the following serial number and entries shall be substituted, namely :—

“59. Dr. Vijay Kumar Singh,
Member of the Faculty of Medicine,
Magadh University, Bodh Gaya.

[No. V. 11013/15/83-ME(P)]

का.आ.1801 :—यतः भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 3 की उप-धारा (1) के खण्ड (ख) के उपबन्ध का पालन करते हुए, इलाहाबाद विश्व-विद्यालय के कोर्ट ने डा. एस. आर. सिंह को 19 मार्च, 1983 से भारतीय आयुर्विज्ञान परिषद् का सदस्य निर्वाचित किया है।

अतः अब उक्त अधिनियम की धारा 3 की उप-धारा (1) के अनुसरण में केन्द्रीय सरकार एतद्वारा पूर्ववर्ती स्वास्थ्य मंत्रालय की 9 जनवरी, 1960 की अधिसूचना संख्या 5-13/59-एम-1 में निम्नलिखित और संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में “धारा 3 की उप-धारा (1) के खण्ड (ख) के अधीन निर्वाचित” शीर्ष के अन्तर्गत क्रम संख्या 27 और उससे सम्बन्धित प्रविष्टियों के स्थान पर निम्नलिखित क्रम संख्या और प्रविष्टियां प्रतिस्थापित की जाएं, अर्थात् :—

“27. डा. एस. आर. सिंह,
प्रिंसिपल, मोती लाल नेहरू मेडिकल कालेज,
इलाहाबाद।”

[सं. वी. 17013/16/83-एम.ई. (पी.)]

S.O. 1801.—Whereas in pursuance of the provisions of clause (b) of sub-section (1) of section 3 of the Indian Medical Council Act, 1956 (102 of 1956), Dr. S. R. Singh has been elected by the Court, of Allahabad University to be a member of the Medical Council of India with effect from 19th March, 1983.

Now, therefore, in pursuance of sub-section (1) of section 3 of the said Act, the Central Government hereby makes the following further amendment in the notification of the late Ministry of Health No. 5-13/59-MI, dated the 9th January, 1960, namely :—

In the said notification, under the heading “Elected under clause (b) of sub-section (1) of section 3” for serial number 27 and the entries relating thereto the following serial and entries shall be substituted, namely :—

“27. Dr. S. R. Singh,
Principal Moti Lal Nehru,
Medical College,
Allahabad.”

[No. V. 11013/16/83-M. E. (Policy.)]

का.आ.1802 :—यतः भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 3 की उप-धारा (1) के खण्ड (ख) के उपबन्ध का पालन करते हुए, बिहार विश्व-विद्यालय की सीनेट के सदस्यों ने डा. आर. एन. ठाकुर को 22 जनवरी, 1983 से भारतीय आयुर्विज्ञान परिषद् का सदस्य निर्वाचित किया है।

अतः अब उक्त अधिनियम की धारा 3 की उप-धारा (1) के अनुसरण में केन्द्रीय सरकार एतद्वारा पूर्ववर्ती स्वास्थ्य मंत्रालय की 9 जनवरी, 1960 की अधिसूचना संख्या 5-13/59 एम. 1 में निम्नलिखित और संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में “धारा 3 की उप-धारा (1) के खण्ड (ख) के अधीन निर्वाचित” शीर्ष के अन्तर्गत क्रम संख्या 22 और उससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित क्रम संख्या और प्रविष्टियां प्रतिस्थापित की जाएं, अर्थात् :—

“22. डा. आर. एन. ठाकुर,
प्रोफेसर, शल्यचिकित्सा और
प्रधानाचार्य, एम. के. मेडिकल कालेज,
मुजफ्फरपुर।”

[सं. वी. 11013/9/83-एम.ई. (पी.)]

S.O. 1802.—Whereas in pursuance of the provisions of clause (b) of sub-section (1) of section 3 of the Indian Medical Council Act, 1956 (102 of 1956) Dr. R. N. Thakur has been elected by members of the Senate of the University of Bihar to be a member of the Medical Council of India with effect from the 22nd January, 1983.

Now, therefore, in pursuance of sub-section (i) of Section 3 of the said Act, the Central Government hereby makes the following further amendment in the notification of the late Ministry of Health No. 5-13/59-MI, dated the 9th January, 1960, namely :—

In the said notification, under the heading “Elected under clause (b) of sub-section (1) of section 3” for serial number 22nd and the entries relating thereto the following serial number and entries shall be substituted, namely :—

“22. Dr. R. N. Thakur,
Professor of Surgery & Principal S. K. Medical
College, Musaffarpur.”

[No. V. 11013/9/83-M. E. (Policy)]

का.आ.1803 :—यतः भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 3 की उप-धारा (1) के खण्ड (ख) के उपबन्ध का पालन करते हुए, मंगलूर विश्व-विद्यालय की सीनेट के सदस्यों ने डा. रामदास एम. पी. को 21 मार्च, 1983 से भारतीय आयुर्विज्ञान परिषद् का सदस्य निर्वाचित किया है।

अतः अब उक्त अधिनियम की धारा 3 की उप-धारा (1) के अनुसरण में, केन्द्रीय सरकार एतद्वारा पूर्ववर्ती स्वास्थ्य मंत्रालय की 9 जनवरी, 1960 की अधिसूचना संख्या 5-13/59-एम. 1 में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में “धारा 3 की उप-धारा (1) के खण्ड (ख) के अधीन निर्वाचित” शीर्ष के अन्तर्गत क्रम संख्या 59 और उससे सम्बन्धित प्रविष्टियों के बाद निम्नलिखित क्रम संख्या और प्रविष्टियां प्रतिस्थापित की जाएं, अर्थात् :—

“60. डा. रामदास एम. पी.,
कस्तूरबा मेडिकल कालेज,
मनीपाल।”

[सं. वी. 11013/19/83-एम.ई. (पी.)]

S.O. 1803.—Whereas in pursuance of the provisions of clause (b) of sub-section (1) of section 3 of the Indian Medical Council Act, 1956 (102 of 1956), Dr. Ramdas M. Pai has been elected by the members of the Senate of the Managalore University to be a member of the Medical Council of India with effect from the 21st March, 1983.

Now, therefore, in pursuance of sub-section (1) of section 3 of the said Act, the Central Government hereby makes the following amendment in the notification of the erstwhile Ministry of Health No. 138, dated the 9th January, 1960, namely :—

In the said notification, under the heading “Elected under clause (b) of sub-section (1) of section 3”, after serial number 59 and the entries relating thereto, the following serial number and entries shall be inserted, namely :—

“60. Dr. Ramdas M. Pai,
Kasturba Medical College,
Manipal”

[No. V. 11013/19/83-ME (P)]

का.आ.1804 :—यतः भारतीय आयुर्विज्ञान परिषद् अधिनियम, 1956 (1956 का 102) की धारा 3 की उप-धारा (1) के खण्ड (ख) के अनुसरण में, मैसूर विश्वविद्यालय की सीनेट ने डा. के. एन. नागराज शेट्टी को 24 गतिम्बर, 1982 से भारतीय आयुर्विज्ञान परिषद् का सदस्य निर्वाचित किया है ;

अतः अब उक्त अधिनियम की धारा 3 की उप-धारा (1) का पालन करते हुए, केन्द्रीय सरकार एतद्वारा पूर्ववर्ती

मंत्रालय की 9 जनवरी, 1980 की अधिसूचना संख्या 5-13/59-एम. 1 में निम्नलिखित संशोधन करती है, अर्थात् —

उक्त अधिसूचना में “धारा 3 की उप-धारा (1) के खण्ड (ख) के अधीन निम्नलिखित” शीर्ष के अन्तर्गत क्रम संख्या 20 और उससे सम्बन्धित प्रविष्टियों के स्थान बाद निम्नलिखित क्रम संख्या और प्रविष्टियाँ प्रतिस्थापित की जायें, अर्थात् —

“20. डा. के. एल. नागराज शेट्टी,
प्रोफेसर एवं अध्यक्ष, कालेज,
शल्यचिकित्सा विभाग,
जे. जे. एम. मेडिकल कालेज,
दावन्नगर 1.”

[सं. बी. 11013/5/83-एम. ई. (पी)]

पी० सी० जैन, अवसर सचिव

S.O. 1804.—Whereas in pursuance of the provision of clause (b) of sub-section (i) of section 3 of the Indian Medical Council Act, 1956 (102 of 1956), Dr. K. L. Nagaraja Shetty, has been elected by the Senate of Mysore University to be a member of the Medical Council of India with effect from the 24th September, 1982,

Now, therefore, in pursuance of sub-section (i) of section 3 of the said Act, the Central Government hereby makes the following amendment in the notification of the erstwhile Ministry of Health No. 5-13/59-MI, dated the 9th January 1960, namely :—

In the said notification, under the heading “Elected under clause (b) of sub-section (i) of section 3” for serial number 20 and entries relating thereto the following serial number and entries shall be substituted, namely :—

“20. Dr. K. L. Nagaraja Shetty,
Professor and Head of the Department of
Medicine, J. J. M. Medical College,
Davangere.”

[No. V. 11013/5/83-M. E. (P)]
P. C. JAIN, Under Secy.

ग्रामीण विकास मंत्रालय

नई दिल्ली, 17 मार्च, 1983

का० प्रा० 1805.—केन्द्रीय सरकार, कृषि उत्पाद (श्रेणीकरण और चिह्नांकन) अधिनियम, 1937 (1937 का 1) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, कड़े बालों का श्रेणीकरण और चिह्नांकन नियम, 1969 का और संशोधन करना चाहती है। जैसा कि उक्त धारा में अपेक्षित है, प्रस्तावित संशोधनों का निम्नलिखित प्रारूप उन सभी व्यक्तियों की जानकारी के लिए प्रकाशित किया जा रहा है, जिनके उससे प्रभावित होने की संभावना है। इसके द्वारा सूचना दी जाती है कि उक्त प्रारूप पर इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से पैंतालीस दिन के पश्चात् विचार किया जाएगा।

इस प्रकार विनिर्दिष्ट अवधि से पूर्व नियमों के उक्त प्रारूप की वास्तविकताओं और भी आक्षेप या सुझाव किसी व्यक्ति से प्राप्त होंगे, केन्द्रीय सरकार उन पर विचार करेगी।

प्रारूप नियम

1. (1) इन नियमों का संक्षिप्त नाम कड़े बालों का श्रेणीकरण और चिह्नन (संशोधन) नियम, 1983 है।

(2) ये राजपत्र में प्रकाशन की तारीख को प्रवृत्त होंगे।

2. कड़े बालों का श्रेणीकरण और चिह्नन नियम, 1969 में—

(1) नियम 1 के उपनियम (2) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :—

“(2) ये शूकर रावकों, बधिया शूकरों और नर शूकरों से अभिप्राप्त कड़े बालों और ऐसे कड़े बालों को उनके ऊपर के छोर पर या नीचे के छोर पर काटकर अभिप्राप्त कटे हुए कड़े बालों को जिनका भारत में उत्पादन होता है, लागू होंगे।”

(2) नियम 2 में—

(क) उपनियम (1) में “अनुसूची एक से लेकर अनुसूची 9 तक” शब्दों और अंकों के स्थान पर “अनुसूची 1 से 9क” शब्द, अंक और अक्षर रखे जाएंगे;

(ख) उपनियम (2) में “अनुसूची 10 और अनुसूची 11” शब्दों और अंकों के स्थान पर “अनुसूची 10 से 11 क” शब्द, अंक और अक्षर रखे जाएंगे;

(3) नियम 3 में “अनुसूची 1 से लेकर अनुसूची 9 तक” और अनुसूची 10 और अनुसूची 11” शब्दों और अंकों के स्थान पर क्रमशः “अनुसूची 1 से 9क” और “अनुसूची 10 से 11क” शब्द, अंक और अक्षर रखे जाएंगे;

(4) नियम 5 के उपनियम (2) के खंड (ii) के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :—

“(ii) कड़े बालों का प्रकार, उदाहरणार्थ मुलायम या कड़ा/आधा कड़ा या अधिक कड़ा अथवा इन तीनों प्रकारों में से कोई कटे हुए कड़े बाल जो नीचे के छोर पर या ऊपर के छोर पर काटे गये हों,”

(5) अनुसूची 9 के पश्चात् निम्नलिखित अनुसूची अतः स्थापित की जाएगी, अर्थात् :—

“अनुसूची 9क

कटे हुए कड़े बालों का श्रेणी अभिधान और

क्यालिटी की परिभाषा

(नियम 2 और 3 देखें)

श्रेणी अभिधान (लम्बाई)	रंग	विशेष लक्षण प्रकार	साधारण लक्षण
1	2	3	4
वह लम्बाई जो फर्म आदेश में विनिर्दिष्ट है*	सफेद	ऊपर के छोर वाले अधिक कड़े कटे हुए कड़े बाल	1. ऊपर के छोर वाले कड़े बाल, कड़े बालों के नीचे के छोर को काटकर अभिप्राप्त किए जाएंगे जो 57 मिमी और उससे अधिक के श्रेणी अभिधान के अनुरूप है जैसा कि अनुसूची 1 से 9 में विहित है।
यथोक्त	यथोक्त	नीचे के छोर वाले अधिक कड़े कटे हुए कड़े बाल	
वह लम्बाई जो फर्म आदेश में विनिर्दिष्ट है*	सफेद	ऊपर छोर वाले कड़े/आधे कड़े कटे हुए कड़े बाल	2. नीचे के छोर वाले कड़े बाल, कड़े बालों के ऊपर के छोर को काटकर अभिप्राप्त किए जाएंगे जो 57 मिमी और उससे अधिक के किसी श्रेणी अभिधान के अनुरूप हैं, जैसा कि अनुसूची 1 से 9 में विहित है।
यथोक्त	यथोक्त	नीचे के छोर वाले कड़े/आधे कड़े कटे हुए कड़े बाल	
यथोक्त	यथोक्त	ऊपर के छोर वाले मुलायम कटे हुए कड़े बाल	
वह लम्बाई जो फर्म आदेश में विनिर्दिष्ट है*	सफेद	नीचे के छोर वाले मुलायम कटे हुए कड़े बाल	3. प्रत्येक प्रकार के कटे हुए कड़े बालों को पृथक् पृथक् पैक किया जाएगा।
यथोक्त	काले	ऊपर के छोर वाले अधिक कड़े कटे हुए कड़े बाल	4. कटे हुए कड़े बालों को अभिप्राप्त करने के लिए कड़े बालों को काटने की सम्पूर्ण संक्रिया विपणन और निरीक्षण निदेशालय के किसी अधिकारी के पर्यवेक्षण में की जाएगी।
यथोक्त	काले	नीचे के छोर वाले अधिक कड़े कटे हुए कड़े बाल	
यथोक्त	काले	ऊपर के छोर वाले कड़े/आधे कड़े कटे हुए कड़े बाल	5. कड़े बालों की गांठों के नीचे/के ऊपर के छोर और कटे हुए छोर विपरीत या उसी दिशा में हो सकते हैं।
यथोक्त	काले	नीचे के छोर वाले कटे हुए कड़े/आधे कड़े बाल	6. सभी कटे हुए कड़े बालों पर ठोस ट्रेसिंग होगी और उनके वही अर्थ होंगे जो अनुसूची 1 से 9 में उनके हैं, सिवाय इसके कि कटे हुए कड़े बालों का लम्बाई जो अनुसूची 1 से 9 में दिए गये किसी श्रेणी अभिधान के लगाना है, लम्बाई में सहायता सीमा को अनिश्चित करने के प्रयोजनार्थ विनिर्दिष्ट श्रेणी अभिधान लम्बाई (जिन्हें “सिरे” कहा गया है) समझी जाएगी।
यथोक्त	यथोक्त	ऊपर के छोर वाले मुलायम कटे हुए कड़े बाल	
यथोक्त	यथोक्त	नीचे के छोर वाले मुलायम कटे हुए कड़े बाल	
यथोक्त	भूरा	ऊपर के छोर वाले अधिक कड़े कटे हुए कड़े बाल	
यथोक्त	भूरा	नीचे के छोर वाले अधिक कड़े कटे हुए कड़े बाल	

1	2	3	4
वह लम्बाई जो फर्म आदेश में विनिर्दिष्ट है*	भूरा	ऊपर के छोर वाले कड़े/आधे कड़े कटे हुए कड़े बाल	7. रंग सहायता सीमाएँ वही होंगी जो उन कड़े बालों के लिए विहित है जिनमें कटे हुए कड़े बाल अति प्राप्त किये गये हैं।
यथोक्त	गथोक्त	नीचे के छोर वाले कड़े/आधे कड़े कटे हुए कड़े बाल	
यथोक्त	यथोक्त	ऊपर के छोर वाले मुलायम कटे हुए कड़े बाल	
यथोक्त	यथोक्त	नीचे के छोर वाले मुलायम कर्तन कड़े बाल	

*फर्म आदेश से अभिप्रेत है कि संविदाकृत साल का सम्पूर्ण मूल्य भारत में शतप्रतिशत अप्रतिहस्तांतरणीय प्रत्यय पक्ष ब्राह्मण अभिरूप से अति प्राप्त कर लिया गया है जो लदान की समीक्षा द्वारा समर्थित पोतपरिवहन बिल के उपस्थापित किए जा सकते हैं या किसी अन्य रूप में प्रयोज्य है;

(6) अनुसूची 10 के पश्चात् निम्नलिखित अनुसूची अतः स्थापित की जाएगी, अर्थात् :—

अनुसूची 10क

विशेष श्रेणी कटे हुए कड़े बाल
(नियम 2 (2) और 3 देखें)

कटे हुए बालों के लिए अनुसूची 10क में विनिर्दिष्ट अपेक्षाओं के अतिरिक्त विशेष श्रेणी कटे हुए कड़े बाल निम्नलिखित अपेक्षाओं की भी पूर्ति करेंगे, अर्थात् :—

1. (i) ऊपर के छोर वाले विशेष श्रेणी कटे हुए कड़े बाल 57 मिमी० लम्बाई और उससे अधिक के ऐसे विशेष श्रेणी कटे हुए कड़े बालों को नीचे के छोर पर काटकर अभिप्राप्त किया जाएगा जो अनुसूची 10 में विनिर्दिष्ट अपेक्षाओं के अनुरूप हों।

(ii) नीचे के छोर वाले विशेष श्रेणी कटे हुए कड़े बाल 57 मि०मी० लम्बाई और उससे अधिक के ऐसे विशेष श्रेणी कटे हुए कड़े बालों को ऊपर के छोर पर काटकर अति प्राप्त किए जाएंगे जो अनुसूची 10 में विनिर्दिष्ट अपेक्षाओं के अनुरूप हों।

2. रंग सहायता सीमा वही होगी जो उन कड़े बालों के लिए विहित है जिनसे कटे हुए कड़े बाल अति प्राप्त किए गये हैं ;”

(7) अनुसूची 11 के पश्चात् निम्नलिखित अनुसूची अतः स्थापित की जाएगी, अर्थात् :—

अनुसूची 11क

नियम 2 (2) और 3 देखें)

चयन श्रेणी कर्तन कड़े बाल

विशेष श्रेणी कटे हुए कड़े बालों के लिए अनुसूची 10क में विनिर्दिष्ट अपेक्षाओं के अतिरिक्त, चयन श्रेणी कटे हुए कड़े बाल नोबो (बधिरा शूटिंग के जूआं द्वारा छोड़े गए अण्ड सम्पुटकों) से मुक्त होंगे और कर्तन कड़े बालों की गार्ड में प्रति गाँठ 10 नफमिन बाल से अधिक नहीं होंगे और वे वही होंगे जो चयन श्रेणी कड़े बालों से अति प्राप्त किए गये हैं।”

[स० एफ० 10/6/82/ए० एम०]

बी० डी० टेकरीवाल, निदेशक
(विपणन)

टिप्पणी: (1) इन नियमों के पश्चात्, भाग II, खंड 3, उपखंड (ii), तारीख 16-8-1969 में का० आ० सं० 3245 तारीख 5-8-1969 के रूप में प्रकाशित किए गये थे।

(2) इन नियमों का प्रथम संशोधन भारत के राजपत्र, भाग II, खंड 3, उपखंड (ii), तारीख 16-8-1969 में का० आ० सं० 3484 तारीख 30-7-1973 के रूप में प्रकाशित किया गया था।

MINISTRY OF RURAL DEVELOPMENT

New Delhi, the 17th March, 1983

S.O. 1805:—The following draft of certain rules further to amend the Bristles Grading and Marking Rules, 1969, which the Central Government proposes to make, in exercise of the powers conferred by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), is hereby published, as required by the said section, for the information of all persons likely to be affected thereby, and notice is hereby given that the said draft will be taken into consideration after the expiry of a period of forty-five days from the date of publication of this notification in the Official Gazette.

Any objection or suggestion which may be received from any person with respect to the said draft before the expiry of the period so specified will be considered by the Central Government.

Draft Rules.

1. (1) These rules may be called the Bristles Grading and Marking (Amendment) Rules, 1983.

(2) They shall come into force on the date of their final publication in the Official Gazette.

In the Bristles Grading and Marking Rules, 1969—

(1) in rule, 1, in sub-rule (2), for the words “and boars and”, the words “and boars and to cut bristles obtained from such bristles by cutting either flag ends or root ends, which are” shall be substituted;

(2) in Rule 2,—

(a) in sub-rule (1), for the words and figures “Schedules I to IX”, the words, figures and letter, “Schedules I to IX-A” shall be substituted;

(b) in sub-rule (2), for the words and figures, “Schedules X and XI” the words, figures and letter, “Schedules X to XI A” shall be substituted;

(3) in rule 3, for the words and figures “Schedules I to IX” and “Schedules X and XI”, the words, figures and letter, “Schedules I to IX-A” and “Schedules X to XI-A” shall, respectively, be substituted;

(4) for clause (ii) of sub-rule (2) of rule 5, the following clause shall be substituted, namely:—

“(ii) Type of bristles, i.e., soft or stiff/semi-stiff or extra stiff or cut bristles of any of these three types with either flag ends cut or root ends cut”;

(5) after Schedule IX, the following Schedule shall be inserted, namely:—

“SCHEDULE -IX—A

Grade designations and definition of quality of cut bristles.

(See rules 2 and 3)			
Grade Designation (Length)	Special Characteristics		General Characteristics
	Colour	Type	
	1	2	
Length as specified in the firm order*	White	Extra stiff cut bristles with flag ends.	1. Cut bristles with flag ends shall be obtained by cutting root ends of bristles conforming to any grade designation from 57 mm and above as prescribed in Schedules I to IX.
Length as specified in the firm order*	-do-	Extra stiff cut bristles with root ends.	2. Cut bristles with root ends shall be obtained by cutting flag ends of bristles conforming to any grade designation from 57 mm. and above as prescribed in Schedules I to IX.
Length as specified in the firm order*	-do-	Stiff/semistiff cut bristles with flag ends.	
Length as specified in the firm order*	-do-	Stiff/semi-stiff cut bristles with root ends.	3. Cut bristles of each type shall be packed separately.
Length as specified in the firm order*	-do-	Soft cut bristles with flag ends.	
Length as specified in the firm order*	-do-	Soft cut bristles with root ends.	

1	2	3	4
Length as specified in the firm order*	Black	Extra stiff cut bristles with flag ends.	4. The entire operation of cutting the bristles for obtaining the cut bristles shall be carried out under the supervision of an officer of the Directorate of Marketing and Inspection.
Length as specified in the firm order*	-do-	Extra stiff cut bristles with root ends.	
Length as specified in the firm order*	do-	Stiff/Semi-stiff cut bristles with flag ends.	5. Bundles of bristles can have root/flag ends and cut ends in opposite or same direction.
Length as specified in the firm order*	-do-	Stiff/Semi-stiff cut bristles with root ends.	6. All cut bristles shall be solid dressed and shall have the same meaning as given in the foot note to Schedules I to IX except that the length of the cut bristles nearer to any graded designation length given in Schedules I to IX shall be taken as specified grade designation length (called 'tops') for the purpose of ascertaining tolerance limits in lengths.
Length as specified in the firm order*	-do-	Soft cut bristles with flag ends.	
Length as specified in the firm order*	-do-	Soft cut bristles, with root ends.	
Length as specified in the firm order*	Grey	Extra-stiff cut bristles with flag ends.	7. Colour tolerance limits shall be the same as that prescribed for bristles from which cut bristles have been obtained.
Length as specified in the firm order*	-do-	Extra-stiff cut bristles with root ends.	
Length as specified in the firm order*	-do-	Stiff/Semi-stiff cut bristles with flag ends.	
Length as specified in the firm order*	-do-	Stiff/Semi-stiff cut bristles with root ends.	
Length as specified in the firm order*	-do-	Soft cut bristles with flag ends.	
Length as specified in the firm order*	-do-	Soft cut Bistles with root ends.	

*'Firm Order' means that the entire value of goods contracted for should have been obtained in advance by opening a cent-per-cent irrevocable letter of credits in India which is encashable on the production of a shipping bill supported by receipt of shipment or guaranteed in any other way".

(6) after Schedule X, the following Schedule shall be inserted, namely:—

"SCHEDULE X-A

[See Rules 2 (2) and 3]

Special Grade Cut Bristles

In addition to the requirements specified for cut bristles in Schedule IX-A, Special grade cut bristles shall satisfy the following requirements, namely :—

- i. (i) Special Grade Cut Bristles with flag ends shall be obtained by cutting root ends of Special Grades of Bristles of lengths 57 mm and above conforming to requirements specified in Schedule X;
- (ii) Special Grade Cut Bristles with root ends shall be obtained by cutting flag ends of Special Grades of Bristles of lengths 57 mm and above conforming to requirements specified in Schedule X.
2. Colour tolerance limits shall be the same as that prescribed for bristles from which cut bristles have been obtained."

(7) after Schedule XI, the following Schedule shall be inserted, namely:—

"SCHEDULE XI-A

[See Rules 2 (2) and 3]

Select Grade Cut Bristles

In addition to the requirements specified for Special Grade but Bristles in Schedule X-A, Select Grade Cut Bristles shall be free from nits (egg capsules left by hog lice) and bundles of cut bristles shall not contain more than 10 infested hairs per bundle and shall be those obtained only from Select Grade of Bristles."

[No. F. 10-6/82-AM]

B.D. TEKRIWAL, Director
(Marketing).

NOTE : (1) Principal rules were published in the Gazette of India Part II, Section 3, Sub-section (ii) dated 16-8-1969 vide S.O. No. 3245, dated 5-8-1969.

(2) First amendment to these rules was published in the Gazette of India, Part II Section 3, Sub-Section (ii) dated 15-12-1973 vide S.O. No. 3484, dated 30-7-1973.

नौबहन और परिवहन मंत्रालय

(सीमा सड़क विकास मंडल)

शुद्धिपत्र

नई दिल्ली, 17 मार्च, 1983

का० जा० 1806—सीमा सड़क महानिदेशालय में नियुक्ति/अनुशासनिक प्राधिकारियों का निर्धारण करते हुए, भारत सरकार नौबहन और परिवहन मंत्रालय, सीमा सड़क विकास मंडल के दिनांक 15 मार्च, 1973 के आदेश संख्या एफ०-81(16)/1969 भर्ती में निम्नलिखित संशोधन किया गया है:—

उपरोक्त आदेश के, भाग II और III के क्रम संख्या 2 और 3 में निम्नलिखित अन्तःस्थापित किया जाएगा:—

भाग II

क्रम संख्या (स्तम्भ I के अन्तर्गत)

के लिए कृतक बल तथा बेस वर्कशॉप सहित परियोजनाओं में सभी श्रेणी III के पद ।

इसे पढ़ें कृतक बल बेस वर्कशॉप और भंडार प्रभागों सहित परियोजनाओं में सभी श्रेणी III के पद ।

क्रम संख्या 3

स्तम्भ 1, 2, 3, 4 और 5 की वर्तमान प्रविष्टियों के अन्त में निम्नलिखित जोड़ें ।

“(ग) भण्डार प्रभाग]	(ग) भण्डार प्रभागों के कमान अधिकारी (लेफ्टि-नेंट, कर्नल/अधी-क्षक इंजीनियर (यांत्रिक)	(ग) भण्डार प्रभागों के कमान अधिकारी (लेफ्टि-नेंट कर्नल/अधी-क्षक इंजीनियर (यांत्रिक)]]	सभी मुख्य इंजी-नियर (परि-योजनाएं)
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भाग III

“(ग) भण्डार प्रभाग	(ग) भण्डार प्रभागों के कमान अधिकारी (ले०-कर्नल अधीक्षक, इंजीनियर] (यांत्रिक)	(ग) भण्डार प्रभागों के कमान अधिकारी ले०-कर्नल/अधीक्षक इंजीनियर] (यांत्रिक)	सभी मुख्य इंजी-नियर परि-योजना
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[स० एफ० 81 (16)/1969-भर्ती]
देवराज बंसल, उप सचिव

MINISTRY OF SHIPPING AND TRANSPORT

(Border Roads Development Board)

CORRIGENDUM

New Delhi- the 17th March, 1983

S. O. 8106.—The following amendments are made to the Government of India, Ministry of Shipping and Transport, Border Roads Development Board's order No. F. 81(16)/1969-Recdt, dated 15th March, 1973, laying down the authorities of Appointing/Disciplinary in Directorate General Border Roads:—

In the said order, the following shall be inserted in Srl. No. 2 and 3 of Part II and III:—

Part II

Serial 2 (under Column 1)

For “All Class III posts in Project including Task Forces and Base Workshops”

Read “All Class III posts in Projects including Task Forces, Base Workshops and Store Divisions”

Serial 3

Add the following at the end of existing entries in Columns 1, 2, 3, 4 and 5:—

“(c) Store Divi- sions	(c) Officers Command- ing of Store Divisions [Lieutenant Colonel/ Superin- tending Engineer (Mecha- nical)]	(c) Officers Command- ing of Sotre Divisions [Lieutenant Colonel/ Superin- tending Engineer Mecha- nical]	All Chief Engineers (Projects)
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Part III

(c) Store Divisions	(c) Officers Commanding of Stores Divisions [Lieutenant Colonel/ Superintending Engineer (Mechanical)]	(c) Officers Commanding of Store Divisions [Lieutenant Colonel/ Superintending Engineer (Mechanical)]	All Chief Engineers (Projects)
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[No. F. 81(16)/1969-Rectt.]

D.R. BANSAL, Deputy Secy.

भ्रम तथा पुनर्वासि मंत्रालय

(पुनर्वासि विभाग)

नई दिल्ली, 15 मार्च, 1983

का० प्रा० 1807.—विस्थापित व्यक्ति (प्रतिकर तथा पुनर्वासि) अधिनियम, 1954 (1954 का 44) की धारा 34 की उपधारा (2) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, मुख्य बंदोबस्त आयुक्त इसके द्वारा, पुनर्वासि विभाग के बंदोबस्त खण्ड में बन्दोबस्त आयुक्त, श्री डी० सी० चहल, को, उक्त अधिनियम की धारा 23 तथा 24 के अधीन अपीलों की सुनवाई तथा पुनरीक्षण हेतु अपनी शक्तियाँ इस शर्त के साथ सौंपते हैं कि उक्त अधिनियम की धारा 22 अथवा किसी अन्य क्षमता में किसी मामले में उनके द्वारा दिये गये आदेश के संबंध में इन शक्तियों का प्रयोग नहीं किया जायेगा।

[सं० 1/3/वि० से०/83-एस० एस०-2(ख)]

एस० के० बसु, मुख्य बन्दोबस्त आयुक्त

MINISTRY OF LABOUR AND REHABILITATION

(Department of Rehabilitation)

New Delhi, the 15th March, 1983

S.O. 1807.—In exercise of the powers conferred by Sub-section (2) of Section 34 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Chief Settlement Commissioner hereby delegates to Shri D. C. Chahal, Settlement Commissioner in the Settlement Wing, Department of Rehabilitation, his powers under Sections 23 and 24 of the said Act for the purpose of hearing appeals and revisions under these Sections subject to the condition that he shall not exercise any of such powers in relation to any matter in which an order has been made by him under Section 22 of the aforesaid Act, or in any other capacity:

[No. 1(3)/Spl. Cell/83-SS. II(B)]

S K. BASU, Chief Settlement Commissioner

भ्रम विभाग

आदेश

नई दिल्ली, 22 मार्च, 1983

का० प्रा० 1808.—केन्द्रीय सरकार, शिक्षा अधिनियम, 1961 (1961 का 52) की धारा 8 की उपधारा (i) द्वारा प्रवृत्त

शक्तियों का प्रयोग करते हुए, और केन्द्रीय शिक्षा परिषद् से परामर्श करने के पश्चात् यह निर्धारित करती है कि निम्न सारणी के स्तम्भ में विनिर्दिष्ट अभिहित व्यवसायों के लिए, उम्र व्यवसाय में अकुशल कर्मकारों से भिन्न कर्मकारों और व्यवसाय शिक्षकों का अनुपात वह होगा जो सारणी के स्तम्भ 3 में उपदर्शित है :—

सारणी		
अभिहित व्यवसाय	उपजीविका के राष्ट्रीय वर्गीकरण का कोड (1968 का पैटर्न)	अनुपात
		शिक्षा अकुशल कर्म- कारों से भिन्न कर्म- कार
1	2	3
भवन और फर्नीचर व्यवसाय समूह	755.10	1 : 3

नलसाज

[सं० डी० जी० ई० टी० 9/8/82-ए० पी०]

पी० आर० रामाकृष्णन, उप सचिव

(Department of Labour)

ORDER

New Delhi, the 22nd March, 1983

S.O. 1808.—In exercise of the powers conferred by sub-section(1) of section 8 of the Apprentices Act, 1961, (52 of 1961) the Central Government, after consultation with the Central Apprenticeship Council hereby determines that for the designated trades specified in column I of the Table below, the ratio of trade apprentices to workers, other than un-skilled workers in that trade, shall be as indicated in column 3 thereof :—

TABLE

Designated Trade	Code number of National Classification of Occupation (18 pattern)	Ratio
		Appren- tices Workers other than un- skilled workers.
1	2	3
Building and Furniture Trade Group		
PLUMBER	755.10	1 : 3

[No. DGET-9/8-82-A.P.]

P.R. RAMAKRISHNAN, Dy. Secy.

(एमीग्रेशन प्रभाग)

नई दिल्ली, 21 मार्च, 1983

का. अ. 1809.—उत्प्रवास अधिनियम, 1922 की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार, श्रम मंत्रालय के श्री ए. के. निगम, अनुभाग अधिकारी की 21-3-83 से 22-3-83 उत्प्रवासी संरक्षी दिल्ली के रूप में नियुक्ति करती है।

[टी-11017/1/83-एमीग्रेशन-2]

रामेन्द्र कुमार दास, अवर सचिव

(Emigration Division)

New Delhi, the 21st March, 1983

S.O. 1809.—In exercise of the powers conferred by Section 3 of the Emigration Act, 1922 (7 of 1922), the Central Government hereby appoints Shri A. K. Nigam, Section Officer, Ministry of Labour and Rehabilitation (Department of Labour) to be the Protector of Emigrants, Delhi with effect from the forenoon of 21-3-83 to 22-3-83 (A.N.).

[No. T-11017/1/83-EMIG-II]

R. K. DAS, Under Secy.

New Delhi, the 24th March, 1983

S.O. 1810.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta in the industrial dispute between the employers in relation to the management of Calcutta Port Trust, Calcutta and their workmen, which was received by the Central Government on the 14th March, 1983.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,
CALCUTTA

Reference No. 90 of 1980

PARTIES:

Employers in relation to the management of Calcutta Port Trust, Calcutta

AND

Their Workmen

PRESENT:

Mr. Justice M. P. Singh—Presiding Officer.

APPEARANCES:

On behalf of Employers—Mr. D. K. Mukherjee, Industrial Relations Officer.

On behalf of Workmen—Mr. S. Das, Secretary of the Union.

STATE : West Bengal.

INDUSTRY : Port.

AWARD

By Order No. L-32011/14/79-D:IV(A) dated 6th November, 1980 the Government of India, Ministry of Labour, referred the following dispute to this Tribunal for adjudication:

"Whether the management in relation to Calcutta Port Trust, Calcutta are justified in refusing payment of consolidated over-time allowance to the Leave Reserve Staff of Engineer Superintendent's Section whenever they are deployed to work on board the vessel? If not, to what relief are the concerned workmen entitled?"

2. In my opinion the issue has to be answered in the negative. The L.R. Staff of Engineer Superintendent's section 1504 GI/82—4

are required to go on board the vessel in a regular manner for work and perform duties for 8 hours in 12 hours shift system. Admittedly the bhandary, fireman grade II, topas, aero servant, deck-laskar, cook-cum-boy and electricians work on board the vessel and they receive consolidated overtime at the rate of 55 per cent of their gross pay when the vessels are at the Port and they receive 67 per cent of their gross pay when they are booked at the vessel which go down the river. These seven categories of workmen work for 12 hours. According to the management the rate of consolidated overtime was agreed with the Calcutta Port Shramik Union in a Memorandum of Settlement signed before the Regional Labour Commissioner (Central) Calcutta on 3rd July, 1969 on a consideration of various factors such as prolonged detention on board the vessel, long duty hours and delay in relieving the crew. The management says that on board the vessel normally a bhandary is required to perform the duties of cooking and other allied works, a fire-man, grade II has to render general assistance in Boiler maintenance works, a topas has to sweep and clean, aero servant has to attend washing and cleaning, a deck laskar has to perform general maintenance work on the vessel, a cook-cum-boy has to cook food for officers and an electrician has to attend to pretty electrical repairs. These categories of workmen, when booked on the vessels at the Port are required to work in a system of 12 hour shifts with variable recess of 2 hours and that make them entitled to consolidated over-time allowance at the rate of 55 per cent of their gross pay. The management further points out that in the Engineer Superintendent's section leave reserve posts of bhandary, fireman-grade II, Topas, aero servant, deck laskar, cook-cum-boy and electrician are maintained for the purpose of providing a substitute whenever any regular crew from these categories are on leave, that for this purpose, on a demand raised by the National Union of Waterfront Workers the Board entered into an agreement by a memorandum of settlement signed before the Regional Labour Commissioner (Central), Calcutta on 20th June, 1977. The relevant clause of the said settlement is as below:

"Personnel filling in leave reserve posts will not be entitled to consolidated overtime allowance unless actually deployed for regular work against a post carrying such an allowance."

It is also the case of the management that the existing strength of the leave reserve posts under the Engineer Superintendent's Section with respect to bhandary, fireman-grade II, topas, aero servant, deck laskar, cook-cum-boy, electricians is 75, that on an average these 75 workmen relieve the regular crew in the respective categories for 13 days in a month and during these days they are paid consolidated overtime allowance attached to the working posts; during the days when there remains no work against leave vacancies, the leave reservists are employed for 8 hours shift a day generally on laid-up vessels or as an office peon or otherwise posted on tugs on stand-by duty for some specified purposes, that deployment on laid-up vessels keep the leave reservists acquainted with the duties of the crew on board the vessel, and for this employment of 8 hours shift a day, the leave reservists are paid the entire basic pay, dearness allowance and additional dearness allowance admissible to the posts held by them. This arrangement according to the Board, is in keeping with the terms of the memorandum of settlement signed with the National Union of Waterfront Workers on 20th June, 1977. The management thus relies on the tripartite agreement dated 20th June, 1977 which does not entitle the L. R. staff to receive any overtime for working on board the vessel. This agreement is Ext. M-1 and it is still subsisting. Undoubtedly this agreement supports the stand taken by the management. But the question is whether this case should be decided only on the basis of this agreement? I think not. I find substance in the contention of the union that for the purpose of bringing equity and justice and uniformity in the matter of earnings, it is necessary that the leave reservists should be provided with 12 hours duty even when they are not required to relieve a regular crew on Board the vessel and that if they are not provided with 12 hours duty, they should not be asked to do duty for 8 hours only on board the vessel and that the management should exempt them from going to the vessels.

3. Sri D. K. Mukherjee appearing for the Management contended that they are not employed for regular work and

so they cannot get the consolidated overtime. He points out that under the agreement of 1977 overtime is payable only when there is regular posting. If the management does not take work, why should they pay any overtime? He says that the concerned workmen ask for employment for 12 hours and seek payment of the consolidated overtime. This they cannot do. They can not say "employ us for 12 hours and pay overtime", that this demand is wholly unjustified in view of the memorandum of settlement dated 20th June, 1977. He submits that the Board is justified in employing the concerned leave reserve staff for 8 hours shift a day, when they are not required to fill up the temporary leave vacancies in place of the regular crew. He further says that it is an universally known fact that the entire strength of leave reserve staff cannot be engaged against temporary leave vacancies on all the working days of a month, that the leave reserve staff of the Engineer Superintendent's section are in no way deprived during their period of non-engagement against leave vacancies inasmuch as they receive the full salaries comprising of basic pay, dearness allowance and additional dearness allowance during this period, that during these days or period they never work for more than 8 hours a day or 48 hours a week and as such there remains no claim for payment of overtime, that during these days, the leave reserve staff are engaged only as laid-up vessels (apart from being engaged casually as office peon or on standby duties on Tugs for specified purpose) and in these vessels workmen from Chief Mechanical Engineer's Department are also employed on 8 hours shift and as such there can not be any precondition that employment on laid up vessels must compulsorily be of 12 hours shift. He submits that the management cannot be compelled to book the workmen on overtime as a matter of routine unless there is work to justify it. He has also urged that there would be a great financial burden on the Board if the claim of the Union is allowed.

4. On the other hand the contention of the union is that there is no duty hours in any vessel, that there is duty for 12 hours in every vessel and there should not be any discrimination in the conditions of service in the same vessel, that their deployment for 8 hours amounts to regular posting, that there should be uniformity in their conditions of service when they are of the same category as of regular employees and when they work on the same vessel and do any job assigned to them, and hence equity and justice demands that the leave reservists should be provided with 12 hours duty when they are not required to relieve a regular crew on board the vessel in order to enable them to earn the consolidated overtime allowance. It is submitted if no overtime is paid, they should be exempted from going to the vessel's work. This contention has force.

5. After considering the submissions of the parties I am of the opinion that the demand of the union is justified. It is not the duty of the L.R. staff as such staff to go on board the vessel for work. I. R. posts are maintained for the purpose of providing a substitute whenever any regular crew from the seven categories viz., bhandary and others go on leave. Even if the leave reservists are not entitled under the tripartite agreement dated 20th June, 1977 to get consolidated overtime unless actually deployed for regular work, still, I think, those who are regularly required to go on board the vessel for work and perform duties for 8 hours in a regular manner, and who are ready to work for 12 hours in 12 hour shift system should be paid overtime allowance. Human labour has value. It cannot be allowed to be exploited. Justice demands that it should be compensated. I am not impressed by the argument of Sri D. K. Mukherjee regarding the lack of financial capacity of the Board to pay overtime to the workmen concerned in this case. It is of course open to the management to exempt them from going on board the vessel for work and in that situation they will not be liable to pay any overtime. But taking work for 8 hours regularly and then not paying overtime on the plea that they do not work for 12 hours or that they work only on laid-off vessels is unjustified. In my opinion they ought to be paid overtime like others doing work on board the vessel. So far as the tripartite agreement dated 20th June, 1977 is concerned, I modify it to the extent aforesaid.

6. In the result, my concluded award is that the management in relation to the Calcutta Port Trust, Calcutta are not justified in refusing payment of consolidated over-

time allowance to the Leave Reserve Staff of Engineer Superintendent's section whenever they are deployed to work on board the vessel. It follows that the concerned workmen if asked to do 8 hours or 12 hours duty on board the vessel are entitled to the relief of getting consolidated overtime allowance as may be admissible to them as per rules of the Calcutta Port Trust, Calcutta.

Dated, Calcutta,

The 3rd March, 1983.

M. P. SINGH, Presiding Officer

[No. L-32011/14/79-D.IV(A)]

A. K. SAHAMANDAL, Desk Officer

New Delhi, the 24th March, 1983

S.O. 1811.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 1, Dhanbad in the industrial dispute between the employers in relation to the management of Sudamdih Colliery of Messrs Bharat Coking Coal Limited, Post Office Sudamdih, District Dhanbad and their workmen, which was received by the Central Government on the 19th March, 1983.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference under section 10(1)(d) of the Industrial Disputes Act, 1947

Reference No. 4 of 1982

PARTIES:

Employers in relation to the management of Sudamdih Colliery of Messrs Bharat Coking Coal Limited, Post Office Sudamdih, District Dhanbad.

AND

Their workmen.

PRESENT:

Mr. Justice Manoranjan Prasad (Retd.), Presiding Officer.

APPEARANCES:

For the Management—Shri T. P. Choudhury, Advocate.

For the Workman—None.

STATE : Bihar.

INDUSTRY : Coal.

Dhanbad, the 11th March, 1983

AWARD

By Order No. L-20012(290)/81-D.III(A), dated, the 12th January, 1982, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 referred the following dispute to this Tribunal for adjudication:

"Whether the action of the management of Sudamdih Colliery of Messrs Bharat Coking Coal Limited, Post Office Sudamdih, District Dhanbad in not promoting Shri S. S. Sekhar, Pump Operator to Category-IV as per management's promotion order dated the 13/15th September, 1967 is justified? If not, to what relief is the workman concerned entitled?"

2. The case of the concerned workman, Shri S. S. Sekhar, is that he has been working as pump operator in Sudamdih Colliery, and during the period Sudamdih Colliery was owned by the National Coal Development Corporation Ltd., (briefly hereinafter referred to as N.C.D.C.), he was, by order No. SMD/W-E/67-11650-52, dated the 13th/15th September, 1967 issued by the Project Manager, Sudamdih Colliery promoted from Cat. III to Cat. IV with effect from 11th

September, 1967, but the management of the Bharat Coking Coal Limited (briefly hereinafter referred to as B.C.C.L.), the successor in interest of N.C.D.C., declined to give him Cat IV. His prayer therefore, is that he should be given Category IV as per the aforesaid promotion order dated 13/15th September, 1967 which had been issued during the time Sudamdih Colliery was owned by N.C.D.C.

3 The case of the management of B.C.C.L., on the other hand, is that the concerned workman, Sri S. S. Sekhar, had been working as pump operator in the compressor room of Sudamdih Colliery. None of the pumps installed in that room is of capacity of more than 35 H.P. Sudamdih Colliery was originally owned by N.C.D.C., which developed the colliery with Polish co-operation till the management was taken over by B.C.C.L. with effect from 1st April, 1973 and eventually the colliery came to be vested in B.C.C.L. with effect from 1st November, 1975. N.C.D.C. had taken a decision to implement the Central Coal Wage Board Recommendations; but that decision was taken on 17th August, 1968, of course, with retrospective effect from 15th August, 1967, and the aforesaid order dated 13/15th September, 1967 promoting the concerned workman from Cat III to Cat IV was issued by N.C.D.C. prior to the date of taking decision regarding implementation of the Central Coal Wage Board Recommendation in the N.C.D.C. collieries. Therefore, by the aforesaid order dated 13/15th September, 1967 issued by N.C.D.C., the concerned workman was promoted from Cat III to Cat IV of the Labour Appellate Tribunal Award (briefly hereinafter referred to as LAT Award) of the year 1957 which was preceded by Majumdar's Award of the year 1956, and he was not promoted from Cat III to Cat IV of the Central Coal Wage Board Recommendations of the year 1967 which became effective from 15th August, 1967. In fact, 10 categories of Majumdar's Award which were continued in LAT Award were compressed and re-categorised into only 6 categories under the Central Coal Wage Board Recommendations, and the concerned workman, who, after his aforesaid promotion, was in Cat IV of the LAT Award, was re-categorised in Cat III of the Central Coal Wage Board Recommendations, and he is not entitled to Cat IV of the Central Coal Wage Board Recommendations as that is a higher category not meant for pump operators. The management's contention, therefore, is that the concerned workman is not entitled to be promoted to Cat IV of the Central Coal Wage Board Recommendations.

4 The case of the concerned workman was sponsored by the Joint Secretary of the Colliery Mazdoor Sabha of India, at & P.O. Sudamdih, District Dhanbad, and Sri Bhushan Chandra Mahato as the Joint Secretary of the said trade union had also filed written statement and rejoinder on behalf of the concerned workman; but he did not appear at the time of hearing in spite of service of registered notice with the result that the case had been taken up for hearing ex parte at which only the management had examined its one witness, Sri P. N. Singh (MW-1), the Personnel Officer of Sudamdih Area. He has deposed that prior to the introduction of the Central Coal Wage Board Recommendations, N.C.D.C. had its own pay structure and as per agreement in the year 1968 between the N.C.D.C. and the Rashtriya Colliery Mazdoor Sangh, which was the recognised union of the industry, the Central Coal Wage Board Recommendations were implemented with effect from 15th August, 1967. He has further deposed that under LAT Award of the year 1958 pump operators were in 3 categories, according to the capacity and No. of pumps that they operated, and the concerned workman, who was a pump operator, was in the year 1967 promoted from Cat III to Cat IV of the LAT Award, but under the Central Coal Wage Board Recommendations, 10 categories of LAT Award were compressed into 6 categories and Cat IV of the LAT Award was re-categorised as Cat III in the Central Coal Wage Board Recommendations, and, accordingly, after the Central Coal Wage Board Recommendations were made applicable to N.C.D.C., of which the concerned workman was an employee as pump operator, he was given Cat III wages of the Central Coal Wage Board Recommendations with retrospective effect from 15th August, 1967. He has further deposed that in the year 1967 the concerned workman was promoted from Cat III to Cat IV of LAT Award and he was not promoted from Cat III to Cat IV of the Central Coal Wage Board Recommendations and his claim that he

should get Cat IV of the Central Coal Wage Board Recommendations because he was once promoted in the year 1967 from Cat III to Cat IV of the LAT Award is wholly misconceived and unjustified.

5 From the Majumdar's award of the year 1956, Vol. II, pages 87 and 88, it will appear that pump khalasis or pump operators, mentioned in item (150) at page 78 of the said Volume were put in 3 categories. Pump khalasi operating pumps upto 35 H.P. were put in Cat. II, those operating pumps upto 125 H.P. were put in Cat. III and those operating pumps over 125 H.P. were put in Cat. IV. This categorisation was also followed in LAT Award of 1957. Since the concerned workman by order dated 13/15th September, 1967 was promoted from Cat. III to Cat. IV by the N.C.D.C. prior to the implementation of the Central Coal Wage Board Recommendations by the N.C.D.C. in respect of its collieries which was done on 17th August, 1968, of course, with retrospective effect from 15th August, 1967, the categories III and IV mentioned in the said order dated 13/15th September, 1967 obviously referred to the categories III and IV of the Majumdar's Award which was also followed in LAT Award of the year 1957, and the same did not refer to Cat. III and IV of the Central Coal Wage Board Recommendations. From para 15 at page 58 of Vol. I of the Central Coal Wage Board Recommendations it would appear that the existing 10 categories of Majumdar's Award which were also followed in LAT Award were compressed into 6 categories, and from the Central Coal Wage Board Recommendations, Vol. II, Appendix V, at page 44 and 45, it would further appear that pump khalasis operating pumps upto 35 H.P. on surface were placed in Cat. II and pump khalasis operating pumps of 35 H.P. and above were placed in Cat. III but there is a note below Cat. II in respect of pump khalasi operating pumps upto 35 H.P. on surface that if he operates more than one pump he will be to a higher category; and it is the case of the management in para 6 of its written statement that accordingly the concerned workman was re-categorised after the implementation of the Central Coal Wage Board Recommendation in Cat. III. A perusal of Cat. IV of the Central Coal Wage Board Recommendations, Vol. II, Appendix-V, at page 46, 47 and 48 would further show that pump operators or pump khalasis are not mentioned at all in the said category and hence the claim of the concerned workman that he should be promoted to Cat. IV of the Central Coal Wage Board Recommendation is not justified and the management is fully justified in not promoting him to Cat. IV of the Central Coal Wage Board Recommendations. In the result, the concerned workman is not entitled to any relief. The reference is answered accordingly, but, in the circumstances of the case there will be no order as to costs.

MANORANJAN PRASAD, Presiding Officer

[No. L-20012(290)/81-D III(A)]

New Delhi, the 25th March, 1983

S.O. 1812.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 1, Dhanbad in the industrial dispute between the employers in relation to the management of Jogidih Colliery of Messrs Bharat Coking Coal Limited, Post Office Tundoo, District Dhanbad and their workmen, which was received by the Central Government on 22nd March, 1983.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference under section 10(1)(d) of the Industrial Disputes Act, 1947

Reference No. 24 of 1981

PARTIES :

Employers in relation to the management of Jogidih Colliery of Messrs Bharat Coking Coal Limited, Post Office Tundoo, District Dhanbad.

AND

Their Workmen.

PRESENT:

Mr. Justice Manoranjan Prasad (Retd.), Presiding Officer.

APPEARANCES:

For the Management—Shri B. Joshi, Advocate.

For the Workman—Shri S. Bose, Secretary, Rashtriya Colliery Mazdoor Sangh.

STATE : Bihar

INDUSTRY : Coal

Dhanbad, the 16th March, 1983

AWARD

The present reference arised out of Order No. L-20012 (47)/81-D. III(A), dated, the 22nd May, 1981, passed by the Central Government in respect of an industrial dispute between the parties mentioned above. The subject-matter of the dispute has been specified in the schedule to the said order and the said schedule runs as follows:—

"Whether the demand of the workmen of the General Manager, Govindpur Area (Area No. III) of Messrs Bharat Coking Coal Limited that Shri Rameshwar Bhuia, Stacker of Jogidih Colliery should be allowed to resume duty as Trammer with full wages for his idle period, is justified? If so, to what relief is the said workman entitled?"

2. The dispute has been settled out of Court. A memorandum of settlement has been filed in Court. I have gone through the terms of settlement and I find them quite fair and reasonable. There is no reason why an award should not be made on the terms and conditions laid down in the memorandum of settlement. I accept it and make an award accordingly. The memorandum of settlement shall form part of the award.

3. Let a copy of this award be sent to the Ministry as required under Section 15 of the Industrial Disputes Act, 1947.

MANORANJAN PRASAD, Presiding Officer

{No. L-20012(47)/81-D.III(A)}

BEFORE THE PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, AT DHANBAD

Reference No. 24 of 1981

Employers in relation to the management of Jogidih Colliery;

AND

Their Workmen.

PETITION OF COMPROMISE

The humble petition on behalf of the parties to this reference most respectfully sheweth:—

1. That, without prejudice to the contentions of the parties contained in their respectively written statements, the parties have amicably settled the dispute on the following terms:—

Terms of Settlement

(a) That the concerned workman Shri Rameshwar Bhuia will be provided with the job of a trammer within 15 (fifteen) days from the date of filing of this settlement.

(b) That the concerned workman shall produce his original Identity Card and in case of loss of the same will produce a certificate from the B.D.O. of the area within which his village is situated regarding his particulars such as his fathers' name, home address etc. for proper verification by the management regarding his genuinity.

(c) That the concerned workman shall report for his duties within 60 days from the date of filing of this settlement failing which his claim for his employment under the management will be forfeited.

(d) That the concerned workman will not claim any wages for the idle period. The idle period will be treated as leave without wages.

(e) That the continuity of service of the concerned workman will be maintained for the purpose of payment of gratuity and seniority in service.

2. That in view of the settlement there remains nothing to be adjudicated.

Under the facts and circumstances stated above the Hon'ble Tribunal will be graciously pleased to accept the settlement as fair and proper and will be pleased to pass the Award in terms of the settlement.

For the workmen.

For the Employers

1. Sd./- (Illegible)

Sd./- (Illegible)

2. Sd./- (Illegible)

General Manager, Area No. III

Sd./- (Illegible),

Area Personnel Manager, Area No. III

Declaration

I, Sri Rameshwar Bhuia, the concerned workman do hereby declares that the terms of the settlement were explained to me in Hindi by Shri Suresh Kumar Singh the signature for the workmen above and I have fully understood the same and I accept all above terms on my volition. I put my L.T.I. in token of acceptance of the terms of the settlement in the presence of the witnesses named below.

L.T.I. of

Witnesses:—

(Sri Rameshwar Bhuia)

Sd./- (Illegible)

New Delhi, the 21st March, 1983

S.O. 1813.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 1, Dhanbad in the industrial dispute between the employers in relation to the management of Bagdigi Colliery of Messrs Bharat Coking Coal Limited, Post Office Lodna, District Dhanbad and their workmen, which was received by the Central Government on the 15th March, 1983.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHABAD

In the matter of a reference under section 10(1)(d) of the Industrial Disputes Act, 1947

Reference No. 60 of 1981

PARTIES:

Employers in relation to the management of Bagdigi Colliery of Messrs Bharat Coking Coal Limited, Post Office Lodna, District Dhanbad;

AND

Their workmen.

PRESENT:

Mr. Justice Manoranjan Prasad (Retd.), Presiding Officer.

APPEARANCES:

For the Management—Shri B. Joshi, Advocate

For the Workmen—Shri B. B. Pandey, Advocate.

STATE : Bihar.

INDUSTRY : Coal.

Dhanbad, dated the 10th March, 1983

AWARD

By Order No. L-20012/169/81-D.III(A), dated the 14th October, 1981, the Central Government in the Ministry of

Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute to this Tribunal for adjudication —

"Whether the demand of the workmen of Bagdigi Colliery of Messrs Bharat Coking Coal Limited, Post Office Lodna, District Dhanbad that the workmen (mentioned in the Annexure) should be given two extra annual increments in their scale of pay of Rs 572-1008 with effect from the date Sarvashri M. K. Dey, Hasildar Singh, Azim Khan and Mir Mohammed were granted the same is justified? If so, to what relief are the concerned workmen entitled?"

ANNEXURE

1. Resho Mahato
2. Durjodhan Mahato
3. Uma Shankar
4. Md. Hasim
5. J. B. Singh
6. Chhakauri Mahato
7. D. P. Mukherjee
8. Md. Wakil
9. S. K. Mitra
10. D. Prasad
11. Sabuda Khan
12. Bishram Tiwari
13. Mansa Bhattacharjee
14. Sitaram Choudhury
15. Nannku Baihai
16. K. M. Mukherjee
17. Brinda Pd. Hazam
18. Bindhyachal Pandey
19. Mustafa Khan
20. Indrashan Mali

2. The case of the 20 concerned workmen mentioned in the Annexure is that they along with 4 others, namely, (1) M. K. Dey, (2) Hasildar Singh, (3) Azim Khan and (4) Mir Mohammed have been working as Mining Sirdars since long in the Bagdigi Colliery of Messrs Bharat Coking Coal Limited and they have all been placed in Grade 'C' in the pay scale of Rs. 572-29-804-34-1008 which is the Grade and pay scale for Mining Sirdars; but since February, 1980, the above named 4 Mining Sirdars have been given two extra annual increments by the management in the said pay scale of Grade 'C' without any valid reason or proper justification, while the 20 concerned workmen have not been given any such extra annual increments which is discriminatory. It is, therefore, the claim of the 20 concerned workmen that they too should be given two extra annual increments in the aforesaid pay scale with effect from the date the above named 4 Mining Sirdars have been given the same.

3. The case of the management, on the other hand, is that in a colliery only such a person can be appointed as Overman, which is a post of higher Grade 'B' with a higher pay scale, who has passed the Overmanship examination and holds Overmanship certificate but since there is shortage of such qualified Overmen in Bagdigi colliery and it has also not been possible to get spare Overmen from other collieries to meet the full requirements of Overmen in Bagdigi colliery, the management, in a such a situation, has selected some Mining Sirdars purely on the basis of their merit to work as acting Overmen in place of permanent Overmen during leave, sick and spare leave vacancies, and, it is under this arrangement, that the above-named 4 Mining Sirdars are working as acting Overmen and they have been given two extra annual increments as extra wages for performing extra duties of Overmen and these two extra increments are not permanent benefits as the same are given to them during the period they perform the duties of Overmen without holding the responsibility thereof, the responsibility being borne by the Assistant Manager. The 20 concerned workmen, however, simply perform the duties of their posts of Mining Sirdars and they do not perform the duties of Overmen, and, therefore, their demand for two extra annual increments is wholly unjustified, as they are not comparable with the above named 4 Mining Sirdars who work as acting Overmen and who have been given two extra annual increments on that account. According to the management, therefore, the 20 concerned workmen

are not entitled to two extra annual increments as claimed by them.

4. On behalf of the concerned workmen only one witness has been examined, namely Resho Mahato (WW-1), who is one of the concerned workmen. No document has been exhibited on behalf of the concerned workmen. On behalf of the management two witnesses have been examined, namely, R. M. Choubey, (MW-1), a clerk in the Personnel Department in Lodna Area Office, within which Bagdigi colliery lies, who has proved certain documents which have been marked Ext. M-1 to M-5 for the management, and Joginder Singh (MW-2), Safety Officer of Bagdigi Colliery.

5. It is the admitted case of the parties that like the above named 4 Mining Sirdars, the 20 concerned workmen are also Mining Sirdars and all of them have been placed in Grade 'C' which is the revised Grade for Mining Sirdars as per para 6.2 under Chapter VI at page 16 of the National Coal Wage Agreement-I and they are all in the same pay scale of Rs. 572-29-804-34-1008 which is the revised pay scale for Grade 'C' as given at page 26 of the National Coal Wage Agreement-II. It is further the admitted case of the parties that the above named 4 Mining Sirdars have been granted by the management two extra annual increments in the said pay scale of grade 'C' from February, 1980, but no such extra increments have been given to the 20 concerned workmen. The management's justification for giving the aforesaid two annual increments to the above named 4 Mining Sirdars is that due to shortage of qualified Overmen in Bagdigi colliery, which is a post of higher Grade 'B' with a higher scale of pay and to which post only such persons can be appointed who have passed Overmanship examination and hold Overmanship certificate, the management has selected the above named 4 Mining Sirdars to work as acting Overmen without holding the responsibility thereof, the responsibility being borne by the Assistant Manager, and it is in lieu of the duties of acting overmen performed by the above named 4 Mining Sirdars that they have been given two extra increments in their pay scale of Mining Sirdars, but since the 20 concerned workmen perform the duties of only their posts of Mining Sirdars and they do not work as acting Overmen they can not claim any such extra annual increments at par with the above named 4 Mining Sirdars. On the other hand, it is the case of the concerned workmen that the above named 4 Mining Sirdars do not work as acting Overmen nor the work of overmen can be taken from them as they have neither passed the Overmanship examination nor hold Overmanship certificate, and that two increments have been given to them for no valid reason or proper justification, and since those 4 Mining Sirdars have been given two extra annual increments from February, 1980, the 20 concerned workmen should also be given the said two extra annual increments from February, 1980.

6. In this connection it is the evidence of Resho Mahato (WW-1), who is one of the concerned workmen, that the above named 4 Mining Sirdars never worked as Overmen or acting Overmen and none of them has also passed the Overmanship examination nor they have appeared at any such examination. The 20 concerned workmen themselves, however also do not claim to have ever worked as Overmen or acting Overmen or to have passed the Overmanship examination. On the other hand, the evidence of Joginder Singh (MW-2), Safety Officer of Bagdigi Colliery, is that the above named 4 Mining Sirdars have been employed as acting Overmen and it is in lieu of their working as acting Overmen that they have been given two extra increments in their pay scale of Mining Sirdars. His evidence is also supported by the attested copy of office order dated 30-4-1980 (Ext. M-1) of the Agent of Bagdigi Colliery sanctioning two increments to the above named 4 Mining Sirdars with effect from 2-2-1980 in their Grade 'C' scale of pay as they had been discharging the duty as Overmen. Ext. M-2 to M-5 are 4 attested copies of orders by the Manager of the colliery appointing the above named 4 Mining Sirdars to work as Overmen. The aforesaid documentary evidence support the case of the management that the above named 4 Mining Sirdars have been discharging the duties of Overmen by working as acting Overmen and it is in lieu of their said services that they have been granted two increments in their Mining Sirdar's 'C' Grade pay scale with effect from 2-2-1980, and they do not support the case of the 20 concerned workmen that the above named 4 Mining Sirdars had never worked as Overmen or acting Overmen and that two increments had been

given to them without any valid reasons or proper justification. I, therefore, hold that the above named 4 Mining Sirdars have been working as acting Overmen and it is in lieu thereof that the management has granted them two extra increments with effect from 2-2-1980 in the Mining Sirdars 'C' Grade pay scale. The 20 concerned workmen are admittedly Mining Sirdars and they are admittedly in Grade 'C' having pay scale of Rs. 572-29-804-34-1008/- which is the right Grade and right pay scale of Mining Sirdars, and since they admittedly never worked as acting Overman they obviously can not claim any extra annual increments in that pay scale at par with the above named 4 Mining Sirdar who have been working as acting Overman and in lieu where of the management has granted them two extra increments with effect from 2-2-1980.

7. It has however, been argued by Shri B. B. Pandey, appearing for the concerned workmen, that under regulation 34 of the Coal Mines Regulations, 1957, only such a person can be appointed as Overman who holds an Overman's certificate, and since the above-named 4 Mining Sirdars admittedly do not hold any Overman's certificate, the management's action in appointing them as acting Overman is quite irregular and against the provisions of the aforesaid regulation 34. But whether the management's action in employing the above 4 named 4 Mining Sirdars as acting Overman under the supervision of the Assistant Manager who holds the responsibility for their work is regular or irregular in view of the aforesaid regulation 34 is, however, not the subject matter of the present reference, nor I am called upon to decide that question. The factual position as appearing from the evidence as discussed above, however, clearly is that the above named 4 Mining Sirdars have been employed as acting Overman and it is in lieu thereof that the management has granted them two extra annual increments with effect from 2-2-1980 in the Mining Sirdar's aforesaid 'C' Grade pay scale. Since the 20 concerned workmen, who are also Mining Sirdars, were admittedly never employed to work as acting Overmen, they can not claim any such extra annual increment simply on the ground that the above named 4 Mining Sirdars, have been granted the same.

8. My answer to the present reference, therefore, is that the demand of the 20 concerned workmen that they should be given two extra annual increments in their pay scale of Rs. 572-29-804-34-1008/- with effect from the date the above named 4 Mining Sirdars were granted the same is not justified and they are entitled to no relief. In the circumstances of the case, however, there will be no order for costs.

MANORANJAN PRASAD, Presiding Officer

[No. L-20012(169)/81-D.III(A)]

S.O. 1814.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Dhanbad in the industrial dispute between the employers in relation to the management of Messrs Bharat Coking Coal Limited, Karmik Bhawan, Saraidhela (Dhanbad) and their workmen, which was received by the Central Government on the 17th March, 1983.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

Reference No. 38 of 1981

In the matter of an Industrial Disputes under Section 10(1) (d) of the I.D. Act, 1947

PARTIES :

Employers in relation to the management of Bharat Coking Coal Limited, Karmik Bhawan, P.O. Saraidhella, Dist. Dhanbad

AND

Their workmen.

APPEARANCES :

On behalf of the employers—Shri R. S. Murthy, Advocate.

On behalf of the workmen—Shri S. Bose, Secretary, R.C.M.S., Dhanbad.

STATE : Bihar

INDUSTRY : Coal

Dhanbad, Dated the 11th March, 1983

AWARD

This is an industrial dispute under Section 10 of the I.D. Act, 1947. The Central Government by its order No. L-20012(246)/80-D.III(A), dated the 9th June, 1981 has referred this dispute to this Tribunal for adjudication on the following terms :—

"Whether the action of the management of Karmik Bhawan of Messrs Bharat Coking Coal Limited, Post Office Saraidhella, District Dhanbad in not implementing their Office Order No. BCCL/Admn/77/1768 dated the 7th October, 1977 and in not giving the pay scale of Technical and Supervisory Grade-B to Shri L. K. Modak, Chauffeur with effect from the 1st October, 1977 is justified? If not, to what relief is the said workman entitled?"

On receipt of the order of reference notices were duly sent to the parties for filing their Written Statement. Thereafter several dates were granted by this Court. Both the parties filed their rejoinder and documents. Ultimately on 4-12-82 both the parties submit that the case is under process of settlement and one more date be given. After the several dates were fixed by this Court. Ultimately on 11-3-83 Parties appeared and filed a memorandum of settlement. I find that the terms of settlement are fair and proper and beneficial to the concerned workman. According to the terms of settlement the management had agreed to promote Shri L. K. Modak, as Chauffeur w.e.f. 22-8-1982 and to place him in the monthly scale of Rs. 572-29-805-34-1008 (MCWA-II) with other allowance admissible to monthly rated employees under recommendations of Wage Board. Since the settlement is for the benefit of both the parties I accept the same and pass the Award in terms of the settlement which will form a part of the Award as an Annexure.

This is my Award.

J. P. SINGH, Presiding Officer,

[No. L-20012/246/80-D.III(A)]

A. V. S. SARMA, Desk Officer

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. II, DHANBAD

In the matter of Reference No. 38 of 1981

PARTIES :

Employers in relation to the management of Bharat Coking Coal Limited, Karmik Bhawan, P.O. Saraidhella, Dhanbad.

Versus

Their Workmen.

JOINT PETITION OF EMPLOYERS AND WORKMEN

The above mentioned employers and workmen jointly beg to submit as follows :—

1. That as a result of a settlement dated 22-8-82 reached before the Regional Labour Commissioner (Central), Dhanbad, in another case, the management had agreed to promote Shri L. K. Modak, as Chauffeur w.e.f. 22-8-1982 and to place him in the monthly scale of Rs. 572-29-805-34-1008 (NCWA-II) with other allowance admissible to monthly rated employees of Wage Board. A photostat copy of the said settlement is annexed hereto and marked as Annexure-A.

2. That the management had already implemented the aforesaid settlement in respect of Shri L. K. Modak.

3. That in view of the above, the present dispute stands fully resolved.

The employers and workmen therefore, pray that the Hon'ble Tribunal may be pleased to give an award in terms of this joint petition to the effect that Sri L. K. Modak, Workmen concerned is entitled to be promoted to the post of Chauffeur and to be placed in the pay scale of Rs. 572-29-805-34-1008 (N.C.W.A. II) w.e.f. 22-8-82 with other allowance admissible to monthly rated employees of wage Board.

I. B. PANDEY,

Secretary Addl. Chief Personnel Manager (IR&W)
Rashtriya Colliery Bharat Coking Coal
Mazdoor Sangh, Limited,
Rajendra Path, Dhanbad, Kormik Bhawan, Dhanbad.
For and on behalf of For and on behalf of employer.
workmen.

Dhanbad, 11-3-1983.

New Delhi, the 24th March, 1983

S.O. 1815.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Ahmedabad in the industrial dispute between the employers in relation to the Bank of Baroda, Ahmedabad and their workmen, which was received by the Central Government on the 17-3-1983.

BEFORE SHRI G. S. BAROT, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT
AHMEDABAD

Reference (ITC) No. 17 of 1981

ADJUDICATION
BETWEEN

Bank of Baroda, Baroda—First Party,

AND

Their Workmen—Second Party.

In the matter of paying higher wages to Smt. Savitaben M. Patel and Smt. Savitaben Rathod.

STATE : Gujarat

INDUSTRY : Banking

AWARD

This is a reference made by the Government of India Ministry of Labour, constituting me as Presiding Officer of the Industrial Tribunal with headquarters at Ahmedabad, in exercise of the powers conferred by Section 7A and clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947, (14 of 1947). The Reference is made by the Central Government Order No. L-12012/310/80-D.II(a) dt. 28th November, 1981. The dispute which is referred to this Tribunal for adjudication is stated in the Schedule to the order of reference and it reads :

"Whether the action of the management of Bank of Baroda in relation to its Branches at Salabapura and Rankuva in not paying higher wages to Shrimati Savitaben M. Patel and Shrimati Savitaben Rathod respectively, is justified? If not, to what relief are the workmen concerned entitled and from which date?"

2. After the receipt of the Government Order dt. 22-11-81 notices were sent to the sponsoring union, viz., Gujarat Bank Workers' Union on 21-12-81 to file its statement of claim on or before 9-2-82. However, the union did not file any statement of claim and as such the reference was fixed for hearing on 27-4-82 vide notice dt. 12-3-82. The reference was fixed for hearing thereafter on several dates but adjourned in order to accommodate the parties. However, the roznama discloses that the union has remained absent ever since 13-8-82 and has neither filed any statement of claim nor remained present. Notices dt. 21-12-82, 20-1-83 (by Registered Post A.D.) 2-2-83 and 17-2-83 were sent to the union to remain present for the hearing of the reference. However, the union has neither filed its statement of claim nor remained present for the hearing of the reference. It transpires from these facts

that the union for some or the other does not seem to have any interest in prosecuting the reference. The demand is such that no directions can be given unless all the relevant facts are placed before me. In the circumstances of the case I have no other alternative left but to dismiss the reference for want of prosecution. I, therefore, pass award accordingly. No order as to costs.

Ahemdabad,

Dt. 4th March, 1983.

G. S. BAROT, Presiding Officer.

[No. L-12012(310)/80-D.II(A)]

S.O. 1816.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal Calcutta in the industrial dispute between the employers in relation to the Punjab & Sind Bank and their workmen, which was received by the Central Government on the 17-3-83.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT
CALCUTTA

PARTIES :

Reference No. 63 of 1979

Management of Punjab & Sind Bank Ltd, Gauhati.

AND

Their workmen

APPEARANCES :

On behalf of Management.—Mr. B. K. Mukherjee, Vice-Chairman, Standing Labour Committee, Bharat Chamber of Commerce.

On behalf of Workmen.—Mr. Ajit Banerjee, General Secretary, Bengal Provincial Bank Employees' Association.

STATE : Assam.

INDUSTRY : Banking

AWARD

By Order No. L-12012/2/70-D.II.A, dated 19th September, 1979 the Government of India, Ministry of Labour, referred the following dispute to this Tribunal for adjudication :

"Whether the action of Area Manager, Punjab and Sind Bank Ltd., Gauhati in terminating the services of Shri G. S. Jolly, Clerk-cum-Cashier w.e.f. 7-7-78 is justified? If not, to what relief the workman is entitled to?"

2. When the case was taken up for hearing today the representative of the management submitted that the case was settled between the workman and the Bank management and also submitted the terms of settlement along with a photostat copy of receipt showing payment of Rs. 25,000 to the workman in full and final settlement of the dispute. Mr. Ajit Banerjee appearing for the Union submitted that when the matter has been settled with the workman concerned, the union will not stand in the way of such settlement and an award may be passed accordingly. The management also prayed that an award be passed accordingly. I therefore pass a 'No dispute' award in the matter.

Dated Calcutta,

The 7th March 1983.

M. P. SINGH, Presiding Officer.

[No. L-12012/2/79-D.II(A)]

S.O. 1817.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal Calcutta in the industrial dispute between the employers in relation to the Corporation Bank and their workmen, which was received by the Central Government on the 17-3-83.

**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,
CALCUTTA**

Reference No. 10 of 1980

PARTIES :

Employers in relation to the management of Corporation Bank Limited, Calcutta

AND

Their Workmen.

APPEARANCES :

On behalf of Employers—Mr. K. Dhar, Advocate.

On behalf of Workmen—Mr. P. K. Chatterjee, Advocate with Mr. K. H. Dasan, Advocate

STATE : West Bengal

INDUSTRY : Banking

AWARD

By Order No. L-12011/54/79-D.IIA dated 28-1-80 the Government of India, Ministry of Labour, referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Corporation Bank Limited, Calcutta in curtailing the special allowance payable to Sarva Shri Gopal Acharya and Bulendra Jha, Drivers-cum-peon of the Bank by their Orders No. PRN Deptt-490/79M 50 dated 1-3-1979 and PRN Deptt-491/79M 421 dated 1-3-1979 respectively with effect from 1-3-1979 is justified? If not, to what relief are the employees concerned entitled?"

2. The issue, I think, has to be answered in the negative. The special allowance which was being paid to them was attached to the post itself. It was not dependant on the performance of any additional duty. The post was of driver-cum-peon. It was created as soon as the car was purchased and the driver was appointed. Both persons were appointed as drivers-cum-peon on that post. Gopal Acharya was appointed as such on 19 August, 1974 (vide Ext. W-1) when the second car No. WMB 4480 was purchased in 1974. He was confirmed on 3rd March, 1975 (vide Ext. W2). The other driver Bulendra Jha was first appointed on probation on 5 May, 1973 (vide Ext. W8) and then by regular order of appointment on 1 June 1973 (vide Ext. W9) when the first car No. WBG 4234 was purchased in 1973. He was confirmed on the same date (vide Ext. W10). In the appointment letters it is mentioned : "He will draw a basic pay of Rs. 116/- per mensem with dearness and other allowances applicable to the post at the appropriate rates. The said salary is subject to variation from time to time." It is clear that the two-drivers were entitled to get all allowances applicable to the post. Sri A. K. Dhar, Advocate for the management, however, contended that the expression 'other allowances' in the term of appointment did not include 'special allowance'. He argued that there was a distinction between 'allowance' and 'special allowance' and that the later is payable only so long as the performance of the duty continues. It is said that special allowance was 'not a condition of service, not a term of appointment and that it was payable only under the bipartite settlement. He submitted that special allowance could not be paid to them because they had ceased to perform the duty of driving, the Bank having no car during the period in question. I do not agree with his contentions. I have already referred to the terms of the appointment letters under which allowance as applicable to the post were to be paid. Special allowance was not paid for any additional duty. It was rather being paid for normal and routine duties of driving. The argument of Sri A. K. Dhar that under para 5.6/5.9 of the Bipartite Settlement dated 19-10-66 special allowance was payable only so long as the concerned workman performed the additional duties and functions is not, therefore valid because there was no question of doing any additional duty here. The very post was created for the main job of driving. The status of the concerned workmen was that of driver and special allowance

was being paid right from the date of appointment. As already stated it is important to note that special allowance was being paid to them from the very date of appointment and they were paid for 6 or 7 years continuously but the same was suddenly stopped by a notice dated 1 March, 1979, Exts. W-3 and W-11 (later withdrawn by Notice dated 30 August, 1979) under the impression that it could not be done without serving a notice of change under Sec. 9A of the Industrial Disputes Act. Notices purporting to be under Sec. 9A of the Industrial Disputes Act (Exts. W-5 and W-13) were issued to Gopal Acharya and Bulendra Jha stating that they will not now be entitled to receive any special allowance w.e.f. 1 October 1979. It may be mentioned that at the date of issuing notices purported to be under Sec. 9A, a conciliation proceeding was pending before the Labour Commissioner, the Union having raised the dispute there soon after the 1st notice dated 1 March, 1979. In that situation the provisions of Sec. 33 might be attracted. But even after 1st March, 1979 the Corporation Bank paid special allowance upto August 1979 under a local agreement dated 7-12-1980 (Ext. M-19) vide also MW-1 A. K. Ghosh at page 4 of his deposition, but it was not paid from September, 1979 upto December 1980, that is, for 16 months and in this reference the question for decision is whether the two drivers are entitled to the special allowance for these 16 months.

3. Admittedly from 11 December 1980, they are driving the car on rotation of 3 months and are again getting the 'special allowance'. In my opinion, the expression 'other allowances' in the term of appointment will include special allowance also. The special allowance was also payable to them under clause 5.3 of the industry-wise Bipartite Settlement dated 8 November, 1973 and also under the provisions of the Bipartite Settlement dated 19th October, 1966. I am of definite opinion that it was a condition of service. There was undoubtedly a change in the conditions of service when the payment of special allowance was stopped. The question is whether the provision of Section 9A were duly complied with.

4. In my opinion no valid notice of change under Section 9A was issued. The notices are Exts. W-13 and W5. They are not in the prescribed Form E. They are not in respect of the change in the conditions of service of the workmen of all the branches of the same category in general but were issued only to the individual concerned workmen which is not contemplated by Section 9A. It was being paid not as a concession given by the employer but under the contract of appointment as well as under Bipartite Settlements and hence its payment could not be stopped unilaterally. In the instant case special allowance was attached to the post of driver-cum-peon and as the post and the status of being driver continued and were never abolished, payment could not be stopped by resorting to Section 9A. It is also remarkable that the Bank did not even wait for 21 days of giving the notice as required under Section 9A(b) of the Industrial Disputes Act. Notices were issued on 30 August, 1979 and payment was stopped from 1st September, 1979. In such circumstances it has to be held that the provisions of Section 9A were not complied with. It follows that the so-called notices under Section 9A are invalid and illegal and hence it must be held that there was no change in the conditions of service.

5. Sri A. K. Dhar vehemently argued that the special allowance came with the car and must go with the car. In other words, when there was no car and there was no driving (as admitted by the concerned workmen also; vide Exts. W4 and W12) the performance of duty ceased and special allowance could not be paid. He pointed out that in pursuance of a policy decision (Ext. M-7) the Corporation Bank withdrew its office car WMB 4480 at Calcutta by order dated 1st March, 1979, that it was sold on 11th January, 1979 to Sri Ayenger, the branch Manager on interest free loan under the Loan Scheme of the Bank as per Ledger Ext. M-4 and immediately thereafter the Bank wrote two letters (Exts. W-3 and W-11) to the concerned drivers that no special allowance would be paid to them on which protest was made (vide Exts. W-4 and W-12). He pointed out that one car (WBG 4234) had already been sold in 1976 or 1977 when Benaras branch was opened (see MW-1 A. K. Ghosh). It is said that Sri Ayenger had not been able to repay the car

loan (Rs. 13,000/-) lying still due, so he was asked to return the car and it was returned on 24th April, 1980 to the Regional Manager Sri Venkatachalam MW-2. He also submitted that Mr. Ayenger, the branch Manager had written to the RTA for transfer of the said car to the Bank (vide Exts. M-11 to M-14). He accordingly submitted that there was no office car from 11 January, 1979 to 23 April, 1980 at the bank at Calcutta. He further urged that on 16-5-1980 the Regional Manager issued a letter to Bulendra Jha to report to duty but he refused, that again on 19 June, 1980 the Regional Manager issued another letter but he did not report for duty (vide Exts. M-18 and M-18a). The Regional Manager, therefore, had to drive the car himself from 24th April, 1980 to 10th December, 1980. The two witnesses of the Management have deposed about these facts and documents also have been filed in support of these facts. Sri P. K. Chatterjee, Advocate for the Workmen, however strongly contended that the Bank had told a lie regarding the transfer of the car in favour of Sri S. Ayengar and that the car had in fact, remained all along with the bank. In my opinion, it is not necessary to go into this question. I have already held that special allowance was attached to the post of driver-cum-peon, that the post was never abolished and I am of the opinion that the two drivers are entitled to receive the special allowance as claimed by them. Car or no car, special allowance must be paid to them. Refusal to drive by Bulendra Jha may not be taken seriously because of the dispute going on over the non-payment of special allowance from September, 1979. Further more, it was open to the Management to take disciplinary action and to dismiss him for disobedience of the order. I am not, therefore, inclined to disallow special allowance on that ground.

6. On behalf of the workmen three witnesses have been examined : Gopal Acharya WW-1, Bulendra Jha WW-2 and Alok Sarkar WW-3. The first two witnesses were examined mainly to say that the Bank always owned the car and that the two concerned drivers WW-1 and WW-2 had always driven the car. The third witness, namely Alok Sarkar was examined on the point that the Union had raised a dispute with the management in the year 1979. I have decided the case having the broad features in mind. It is not necessary to discuss the oral evidence in detail. I may further mention that both parties have cited decisions but none is exactly on the point which is for consideration in the present case. I do not think it necessary to discuss them.

7. In the result, my Award is that the action of the management of Corporation Bank Limited, Calcutta in curtailing special allowance payable to Sarva Shri Gopal Acharya and Bulendra Jha, drivers-cum-peon of the Bank by their order dated 1st March, 1979 (in effect from 1st September 1979 vide order dated 30th August 1979) is unjustified. It follows that the concerned workmen are entitled to receive special allowance for the period from 1st September, 1979 to 10th December, 1980 at the rate admissible to them.

Dated, Calcutta,

The 9th March, 1983

M. P. SINGH, Presiding Officer.

[No. L-12011/54/79-D.IIA]

N. K. VERMA, Desk Officer

New Delhi, the 25th March, 1983

S.O. 1818.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Jaipur in the industrial dispute between the employers in relation to the management of Western Railway and their workmen, which was received by the Central Government on the 19-3-83.

CENTRAL INDUSTRIAL TRIBUNAL, RAJASTHAN,
JAIPUR

PRESIDED BY SHRI MAHENDRA BHUSHAN SHARMA
Case No. C.I.T. 23/1982

REFERENCE :

Desk Officer, Government of India, Ministry of Labour,
New Delhi notification No. L-41011(4)/81-B.I.B.
dated 8th July, 1981

1504 GI/82—5

In the matter of an Industrial Dispute

BETWEEN

Shri Amar Chand P. Khalasi and Shri Deen Dayal Mehra, Gangman through the Secretary, Paschim Railway Karamchari Parishad, Prithwiraj Marg, Ajmer.

AND

The Divisional Personnel Manager, Western Railway, Ajmer.

PRESENT :

For the Union—Shri R. C. Narang.

For the Opposite Party—None.

Date of Award : 24th January, 1983

AWARD

The Desk Officer, Government of India, Ministry of Labour, New Delhi vide his notification No. L-41011(4)/81-D.I.B dated 8-7-1981 has referred the following dispute to this Tribunal for adjudication under Section 10 (1) of the Industrial Disputes Act, 1947 (for short the Act hereinafter) :

"Whether the action of the Divisional Personnel Officer, Western Railway, Ajmer, in terminating services of Shri Amar Chand P. Khalasi under HTXR, Ajmer from 21-4-75 and of Shri Deen Dayal Mehra Gangman, under PWI, Ajmer, from 8-4-75 is justified? If not, to what relief the workmen are entitled?"

2. The dispute which is to be adjudicated relates to the two workmen Sarvashri Amarchand under HTXR, Ajmer and Shri Deen Dayal Mehra, Gangman under PWI Ajmer whose services have been terminated w.e.f. April 21st, 1975 and April 8, 1975 respectively.

3. Notice of this case was given to the parties concerned. Statement of claim has been filed on behalf of the workmen. None appeared on behalf of the opposite party in spite of service.

4. The case has been set up in the statement of claim that so far as Shri Amar Chand is concerned he was appointed as casual labourer on September 1st, 1970 on the post of Khalasi under head HTXR, Western Railway, Ajmer. Thereafter temporary status was given to him on March 25, 1971. He was medically examined for Category B-1 on March 9th, 1973 and was declared medically fit. He was also screened and was declared pass on October 31st, 1973. After his screening and selection he was again asked to appear before the Medical Board and was declared unfit on April 9th, 1975. According to the worker there was no justification for sending him before the Medical Board again when he appeared once and had been declared fit on March 9th, 1973. Even if he was declared medically unfit it was necessary that alternative employment should have been provided to him under Rule 2065 of the Railway Establishment Manual. His services were terminated without complying with Section 25(f) of the I.D. Act, 1947 (for short the Act hereinafter).

5. So far as Shri Deen Dayal Mehra is concerned, the case of the worker is that he was appointed as casual labourer on January 21st 1961 under P.W.I. Ajmer. He worked in that capacity from time to time as a casual labourer. His services were terminated without any cause on November 20th, 1964 but he was again taken as a casual labourer under PET, Ajmer on November 21, 1964. He worked therein that capacity till 1965, thereafter he was screened and was appointed as a Artisan Khalasi temporarily on January 27th, 1976. He re-appeared before the medical Board and was declared fit for Category B-1 in the month of May, 1976 and his age was declared as 40 years. Temporary status was granted to him under PWI, Ajmer on September 21st, 1971. He was sent again for medical examination in April, 1975 under form 38B meant for fresh appointments and was declared unfit. His services were dismissed by the PWI Ajmer. His case is also that while terminating his services provisions of Section 25(F) were not complied with and he too was not given alternative employment to which he was entitled under the relevant Rules, even on being declared medically unfit.

6. In support of their cases, the workers filed their affidavits. I have heard the arguments and perused the material on record.

7. The contention of Shri R. C. Narang, representative of the workers is that there was no justification for sending both the workers for medical examination when once they had appeared before the Medical Board and were found fit. It is further contended by him that even if they were medically unfit, it was necessary under para 2065 of the Railway Establishment Manual that alternative employment must have been found for both the workers.

8. On the strength of the affidavits filed by Shri Amar Chand and Shri Deen Dayal Mehra, it can be said that both of them had been conferred temporary status as Khalasi and Gangman respectively. Even a temporary Railway servant who becomes medically unfit for the post held by him on account of circumstances arising out of and in the course of his employment is entitled for the benefit of Rule 152 R.L. under which he should be granted leave due, plus leave without pay so as to make a total period of six months, within it alternative employment must be found. Rule 2065 of the Railway Establishment Manual (2nd edition) provides that alternative employment must be found in the case of permanent and temporary railway servants and as far as possible medically decategorised staff may be absorbed in such alternative posts which are broadly in an allied categories and where their background and experience in earlier posts could be utilised. That apart under Section 25(F) of the Act which is applicable to the case of both the workers, before their services could be retrenched by the employer, it was necessary that each of them must have been given either one month's notice in writing indicating the reasons for retrenchment or should have been paid in lieu of such notice wages for the period of notice and should also have been paid compensation equivalent to 15 days continuous service or any part thereof in excess of six months.

9. From the affidavits, it appears that the condition precedent to under Section 25(F) of the Act have not been complied with before dispensing with the services of the workers. It also appears that para 2065 of the Indian Railway Establishment Manual was also not complied with and no efforts were made to give an alternative employment which must have been found if both the workers were found medically unfit or could be found medically unfit for category B-1.

10. In the result the claim of both the workers is allowed. It is hereby declared that the action of the Personnel Manager Aimer in terminating the services of Servashri Amar Chand P. Khalasi under HTRX, Aimer from 21-4-75 and Deen Daval Mehra, Gangman under PWL Aimer from 8-4-75 is not justified. Both the workers are entitled for reinstatement on their respective posts from the date of their services were terminated, they are also entitled for back wages along with all other benefits to which they may be entitled under the relevant rules.

11. Let this Award be sent to the Central Government for publication under Section 17(1) of the I.D. Act, 1947.

MAHENDRA BHUSHAN SHARMA, Presiding Officer
Central Industrial Tribunal
Rajasthan, Jaipur

[No. L-41011(4)/81-D.II(B)]

HARI SINGH, Desk Officer.

नई दिल्ली, 21 मार्च, 1983

का. आ. 1819.—केन्द्रीय सरकार ने कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के खण्ड (ग) के अन्वय में श्री आर. एम. जैन, उप सचिव, भारत सरकार, श्रम और पुनर्वासि मंत्रालय (श्रम विभाग) को श्री पी. सिन्हा के स्थान पर कर्मचारी राज्य बीमा निगम में सदस्य के रूप में नाम निर्दिष्ट किया है ;

अतः अब केन्द्रीय सरकार, कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 4 के अन्वय में, भारत सरकार

के भू. पू. श्रम मंत्रालय की अधिसूचना संख्या का.आ. 350(अ), दिनांक 21 अक्टूबर, 1980 में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में, “केन्द्रीय सरकार द्वारा धारा 4 के खण्ड (ग) के अधीन नाम निर्दिष्ट” शीर्षक के नीचे मद्ध 7 के सामने की प्रविष्टि के स्थान पर निम्नलिखित प्रविष्टि रखी जाएगी अर्थात् :—

“श्री आर. एम. जैन.

उप सचिव, भारत सरकार,

श्रम और पुनर्वासि मंत्रालय,

श्रम विभाग, नई दिल्ली।”

[संख्या य-16012/1/82-एच.आई.]

New Delhi, the 21st March, 1983

S.O. 1819.—Whereas the Central Government has, in pursuance of clause (c) of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948) nominated Shri R. S. Jain, Deputy Secretary, to the Government of India, Ministry of Labour and Rehabilitation (Department of Labour), New Delhi, as a member of the Employees' State Insurance Corporation, in place of Shri P. Sinha;

Now, therefore, in pursuance of section 4 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendment in the notification of the Government of India in the late Ministry of Labour No. S.O. 350(E), dated the 21st October, 1980 namely:—

In the said notification, under the heading “Nominated by the Central Government under clause (c) of section 4”, for the entry against Serial Number 7, the following entry shall be substituted, namely :—

“Shri R. S. Jain,

Deputy Secretary to the

Government of India,

Ministry of Labour and Rehabilitation,

Department of Labour,

New Delhi.”

[No. U-16012/1/82-HI]

नई दिल्ली, 22 मार्च, 1983

का. आ. 1820 :—केन्द्रीय सरकार द कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 8 के अन्वय में और भारत सरकार के भू. पू. श्रम मंत्रालय की अधिसूचना संख्या का.आ. 986(अ) तारीख 13 दिसम्बर, 1980 को अधिष्ठात कर रहे हुए, कर्मचारी राज्य बीमा निगम की स्थायी समिति का गठन करती है, जिसमें निम्नलिखित सदस्य होंगे, अर्थात् :—

अध्यक्ष

(केन्द्रीय सरकार द्वारा धारा 8 के खण्ड (क) के अधीन नाम निर्देशित)

1. श्री आर. के. ए. सन्नहमण्य,
जुनर सचिव, श्रम विभाग,
भारत सरकार, नई दिल्ली।

सदस्य

(केन्द्रीय सरकार द्वारा धारा 8 के खण्ड (ख) के अधीन नाम निर्देशित)

2. श्रीमती गिरिजा ईश्वरन,
संयुक्त सचिव और एकीकृत
वित्तीय सलाहकार,

श्रम और पुनर्वासि मंत्रालय
भारत सरकार, नई दिल्ली ।

3. डा. आई. डी. बजाज,
महानिदेशक, स्वास्थ्य सेवाएं,
भारत सरकार, नई दिल्ली ।

4. श्री आर. एस. जैन,
उप सचिव,
श्रम विभाग, भारत सरकार,
नई दिल्ली ।

(धारा 8 के खण्ड (ख) के अधीन तीन राज्य सरकारों का
प्रतिनिधित्व करने वाले निगम के सदस्य)

5. केरल सरकार का प्रतिनिधित्व करने वाला निगम
का सदस्य ।

6. महाराष्ट्र सरकार का प्रतिनिधित्व करने वाला निगम
का सदस्य ।

7. पश्चिम बंगाल सरकार का प्रतिनिधित्व करने वाला
निगम का सदस्य ।

(धारा 8 के खण्ड (ग) के उपखण्ड (2) के अधीन निगम द्वारा
निर्वाचित)

8. श्री आर. सी. दस्त,
अवैतनिक सलाहकार और सदस्य,
कार्यपालक बोर्ड, स्टेण्डिंग काफेरेन्स आफ
पब्लिक इन्टरप्राइजेज, चन्द्रलोक, 36-जनपथ,
नई दिल्ली-110001.

9. श्री एन. वेंकटरमाणी,
मैसर्स इण्डियन पिस्टन्स लिमिटेड,
हज़ूर गाडन्स, मद्रास-600011.

10. श्री बी. एम. सेठी,
सचिव, अखिल भारतीय नियोजक संगठन,
नई दिल्ली ।

(धारा 8 के खण्ड (ग) के उप-खण्ड (4) के अधीन निगम
द्वारा निर्वाचित)

11. श्री आर. रंगास्वामी,
महासचिव, भारतीय राष्ट्रीय मजदूर कांग्रेस,
तमिलनाडु ब्रांच, 45-रोयापेट्टा हाई रोड,
मद्रास-600014.

12. श्री वसन्त खनोलकर,
जनरल सेक्रेटरी, कौमिकल मजदूर सभा,
115, सत्याग्रही सदन,
दादा साहब फालके रोड, दादर,
बम्बई-400014.

13. श्री एम. एस. कृष्णन,
उपाध्यक्ष, अखिल भारतीय ट्रेड यूनियन कांग्रेस,
53, गायत्री देवी पार्क एक्सटेन्शन,
बंगलौर-3, कर्नाटक ।

(धारा 8 के खण्ड (ग) के उपखण्ड (4) के अधीन निगम द्वारा
निर्वाचित)

14. डा. जे. मजूमदार,
पी. 5, न्यू सी.आई.टी. रोड,
कलकत्ता-14.

(धारा 8 के खण्ड (ग) के उपखण्ड (5) के अधीन निगम द्वारा
निर्वाचित)

15. श्री के. रामामूर्ति,
संसद सदस्य (लोक सभा),
93, नार्थ एवेन्यू,
नई दिल्ली-110001.

(धारा 8 के खण्ड (घ) के अधीन पदेन सदस्य)

16. महानिदेशक,
कर्मचारी राज्य बीमा निगम,
नई दिल्ली ।

[संख्या यू-16012/2/83-एच. आई.]

New Delhi, the 22nd March, 1983

S.O. 1820.—In pursuance of section 8 of the Employees' State Insurance Act, 1948 (34 of 1948) and in supersession of the notification of the Government of India in the late Ministry of Labour No. S.O. 966(E) dated the 13th December, 1980, the Central Government hereby constitutes the Standing Committee of the Employees' State Insurance Corporation, consisting of the following members namely:—

CHAIRMAN

(Nominated by the Central Government under clause (a) of section B).

1. Shri R. K. A. Subrahmanya,
Additional Secretary,
Department of Labour,
Government of India,
New Delhi.

MEMBERS

(Nominated by the Central Government under clause (b) of section B).

2. Smt. Girija Eswaran,
Joint Secretary and Integrated
Financial Adviser,
Ministry of Labour and Rehabilitation,
Government of India,
New Delhi.

3. Dr. I. D. Bajaj,
Director General of Health Services,
Government of India,
New Delhi.

4. Shri R. S. Jain,
Deputy Secretary,
Department of Labour,
Government of India,
New Delhi.

(Members of the Corporation representing the three State Governments under clause (bb) of section 8).

5. The member of the Corporation representing the Government of Kerala.

6. The member of the Corporation representing the Government of Maharashtra.

7. The member of the Corporation representing the Government of West Bengal.

(Elected by the Corporation under sub-clause (ii) of clause (c) of section 8).

8. Shri R. C. Dutt,
Hony. Adviser and Member of the
Executive Board of the Standing
Conference of Public Enterprises,
Chandralok, 36, Janapath,
New Delhi-110001.

9. Shri N. Venkataramani,
M/s. Indian Pistons Limited,
Hazur Gardens,
Madras-600011.
10. Shri B. M. Sethi,
Secretary,
All India Organisation of Employers,
New Delhi.

(Elected by the Corporation under sub-clause (iii) of clause (c) of section 8).

11. Shri R. Rengasamy,
General Secretary,
Indian National Trade Union Congress,
Tamil Nadu Branch,
45, Royapettah High Road,
Madras-600014.
12. Shri Vasant Khanolkar,
General Secretary,
Chemical Mazdoor Sabha,
115, Satyagiri Sadan,
Dada Saheb Phalke Road,
Dadar,
Bombay-400014.
13. Shri M. S. Krishnan,
Vice President,
All India Trade Union Congress,
53, Gayathri Devi Park Extension,
Bangalore-3, Karnataka.

(Elected by the Corporation under sub-clause (iv) of clause (c) of section 8).

14. Dr. J. Majumdar,
P-5, New C.I.T. Road,
Calcutta-14.

(Elected by the Corporation under sub-clause (v) of clause (c) of section 8).

15. Shri K. Ramamurthy M.P.
(Member of Lok Sabha),
93, North Avenue,
New Delhi-110001.

(Ex-officio member under clause (d) of section 8).

16. The Director General
Employees' State Insurance Corporation
New Delhi.

[No. U-16012/2/83-HI]

नई दिल्ली, 26 मार्च, 1983

का. आ. 1821.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 27 मार्च, 1983 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (धारा 44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय 5 और 6 (धारा 76 की उप-धारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबन्ध महाराष्ट्र राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे, अर्थात् :—

“जिला सांगली में राजस्व ग्राम विश्राम बाग, कूपवाड़, दमानी, हरिपुर, सामदोली तथा अंकोली।”

[संख्या एस-38013/6/83-एच. आई.]

New Delhi, the 26th March, 1983

S.O. 1821.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 27th March, 1983, as the date on which the provisions of Chapter IV (except sections 44 and 45 which have

already been brought into force) and Chapters V and VI (except sub-section (1) of section 76 and sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Maharashtra, namely :—

“Revenue village Vishrambaug, Kupwad, Damani, Hari-pur, Samdoli and Ankoli in the District of Sangli.”

[No. S-38013/6/83-HI]

का. आ. 1822.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 27 मार्च, 1983 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (धारा 44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय 5 और 6 (धारा 76 की उप-धारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबन्ध गुजरात राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे, अर्थात् :—

“जिला मेहसाना,
विसनगर, ताल्लुक, विसनगर की
राजस्व सीमाओं के अन्तर्गत शामिल किए
गए क्षेत्र।”

[संख्या एस-38013/7/83-एच. आई.]

S.O. 1822.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 27th March, 1983 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section (1) of section 76 and sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Gujarat namely :—

“The area comprised within the Revenue Limits of Visnagar Town, Taluka-Visnagar, District-Mehsana.”

[No. S-38013/7/83-HI]

का. आ. 1823.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 27 मार्च, 1983 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय 4 (धारा 44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय 5 और 6 (धारा 76 की उप-धारा (1) और धारा 77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबन्ध तमिल नाडु राज्य के निम्नलिखित क्षेत्र में प्रवृत्त होंगे, अर्थात् :—

1. अरुमुगनेरी (तिरुवेन्तूर)

तिरुनेलवली जिले में तिरुवेन्तूर ताल्लुक में कयाल-पटनम उत्तर तथा वक्शण के राजस्व ग्राम में आने वाला क्षेत्र।

2. सेलम उप-नगर

1. सेलम जिले में ओमालूर ताल्लुक में वेल्लाकाल पट्टी, कारुबपुर, ताल्या नगरपट्टी के राजस्व ग्राम में आने वाले क्षेत्र।

2. सेलम जिले में सेलम ताल्लुक में, अम्मापेट्टी, हस्थमपाट्टी, आयोध्या पाट्टीनाम, अलगपुरम, कन्ननकुरीची, धाटमपाट्टी, आदिकारपट्टी, उदयपट्टी, सिलनयाक्कन्नपट्टी-अन्दीपट्टी (दादागापट्टी) कुमारस्वामीपट्टी तथा मेयानूर ।

[संख्या एस-38013/8/83-एच. आई.]

ए. के. भट्टराई, अवसर सचिव

S.O. 1823.—In exercise of the powers conferred by sub-section (3) of section 1 of the Employees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby appoints the 27th day of March, 1983 as the date on which the provisions of Chapter IV (except sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section (1) of section 76 and sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Tamil Nadu.

I. Arumuganeri (Tiruchendur)

The area comprising the Revenue villages Kayalpattanam North and South in Tiruchendur Taluk in Tirunelveli District.

II. Salem Suburbs :

1. The areas comprising the Revenue villages Vellakkalpatti, Karuppur, Tattayangarapatti in Omalur Taluk in Salem District.
2. Ammapettai, Hasthampatti, Ayodhya Pattinam, Alagapuram, Kannankurichi, Thatampatti, Adikarapatti, Udayapatti, Silnayakkanpatti, Andipatti (Dadagapatti) Kumaraswamiipatti and Meyyanur in Salem Taluk in Salem District.

[No. S-38013/8/83-HI]

A. K. BHATTARAI, Under Secy.

नई दिल्ली, 22 मार्च, 1983

का. आ. 1824 :—केन्द्रीय सरकार, न्यूनतम मजदूरी अधिनियम, 1948 (1948 का 11) की धारा 27 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एतद्वारा उक्त अधिनियम की अनुसूची के भाग-1 में राक फोस्फेट खानों का नियोजन जोड़ती है, जिसे जोड़ने के सम्बन्ध में वह भारत के राजपत्र साधारण, दिनांक 4 दिसम्बर, 1982 भाग 2, खण्ड 3, उप-खण्ड (2) में प्रकाशित भारत सरकार के श्रम एवं पुनर्वास मंत्रालय की अधिसूचना संख्या का. आ. 4015, दिनांक 22 नवम्बर, 1982 द्वारा अपने आशय की सूचना पहले ही दे चुकी है ।

[सं. एस-32017/3/81-डब्ल्यू. सी. (एम. डब्ल्यू.)]

एम. एल. मेहता, अवसर सचिव

New Delhi, the 22nd March, 1983

S.O. 1824.—In exercise of the powers conferred by Section 27 of the Minimum Wages Act, 1948 (11 of 1948), the Central Government hereby adds to part I of the schedule to that Act, the employment in Rock Phosphate Mines, notice of its intention to do so having already been given, by the notification of Government of India in the Ministry of Labour & Rehabilitation number S.O. 4015 dated the 22nd November, 1982 published in the Gazette of India, Part II, Section 3, Sub-section (ii) dated the 4th December, 1982, as required by the said section.

[S-32017/3/81-W.C.(M.W.)]

M. L. MEHTA, Under Secy.

New Delhi, the 2nd April, 1983

S.O. 1825.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta, in the industrial dispute between the employers in relation to the management of Oil & Natural Gas Commission, Eastern Region, Nazira, Assam, and their workman, which was received by the Central Government on the 14th March, 1983.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL : CALCUTTA

Reference No. 84 of 1980

PARTIES :

Oil & Natural Gas Commission, Eastern Region, Nazira, Assam.

AND

Their Workmen

PRESENT :

Mr. Justice M. P. Singh—Presiding Officer.

APPEARANCES :

On behalf of Employers—Mr. D. K. Sen Gupta, Advocate.

On behalf of Workmen—Mr. S. Roy, Advocate.

STATE : Assam.

INDUSTRY : Oil

AWARD

By Order No. L-30012/15/80-D.IIB dated 14 October 1980, the Government of India, Ministry of Labour, referred the following dispute to this Tribunal for adjudication.

“Whether the action of the Oil and Natural Gas Commission, Eastern Region, Nazira in terminating the services of Shri Halimuddin Ahmed, Casual Labour, Production Pipe Line Branch with effect from 18-12-68 was justified? If not, to what relief the individual workman is entitled?”

2. The issue must be answered in affirmative. Admittedly Halimuddin Ahmed was a casual labourer. He has admitted this fact in his evidence. His case is that he worked for more than 240 days in between 15 January, 1968 to 17 December 1968, that under the existing customs/rules the service of casual workman are to be regularised and they are to be treated as permanent workmen of the Commission, but even after completion of 240 days work he was not made permanent. He further states that termination of his service with effect from 18 December 1968 amounted to retrenchment within the meaning of Section 2(o) of the Industrial Disputes Act, that no retrenchment compensation having been paid to him the Commission thereby contravened the provisions of Section 25F of the Industrial Disputes Act and so the termination of his service was illegal and void. He further says that the Commission also contravened the provision of Section 25F by not following the principle of “last come, first go”.

3. The case of the Commission inter-alia is that the concerned workman had made out only a case of regularisation of service and not of termination of service and, therefore, the present dispute was outside the pale of Section 2A of the Industrial Disputes Act and the reference is bad in law, that the reference is also invalid being stale having been raised after about 11 years of the alleged termination of service. It has denied that Halimuddin had worked for 240 days or more. It did not admit the correctness of the service certificate of Halimuddin (Ext. W-1) as regards the period of work mentioned therein.

4. The main question to be decided in this case is whether Halimuddin, the concerned workman, worked for 240 days or more in the year 1968. The only relevant document on

this point is Ext. W-1. This document states that he had been working in Production Pipe Line of the ONGC (Oil & Natural Gas Commission) Shibsagar/Nazira on casual basis from 15-1-68 to 17-12-68 at the rate of Rs. 3.25 P per day. This certificate was no doubt given to him by the management. But it appears to me that it was subsequently interpolated. I find substance in the evidence of MW-1 S. K. Jha, the Executive Engineer of the ONGC that the figures "15-1-68" in Ext. W-1 have been erased and rewritten. I have closely examined Ext. W-1. There is larger space in between the figures 1-68 in the date 15-1-68 than the space in the next figure "12-68" in the date 17-12-68 which follows the earlier date. The ink of 15.1 in the date 15-1-68 appears to be somewhat fresh than the ink in the figure 68 of the same date or other figures in the date 17-12-68. There is hyphen in between 1—68 in the dated 15-1-68 which is not so in the next date 17-12-68. There also appears to be sign of some rubbing in the face side as well as in the back side of Ext W-1. When Ext W-1 was filed in this court it was found that the edges of the certificate had been pasted from all the four sides in the back by another paper although it did not require to be pasted. So I tore the extra paper which was on the back in the Ezlash in presence of the lawyer of the concerned workman in order to find whether there was any sign of rubbing on the back of Ext W-1. I find some sign of rubbing even in the back side though Ext W-1 is a thick paper. I do not rely upon it. If Ext W-1 goes the sheet anchor of the case of the concerned workman is shaken. For this reason the evidence of WW-1 Halimuddin to the effect that he worked for more than 240 days can not be relied upon. His evidence is solely based on Ext W-1. I therefore disbelieve him.

5. There are also other circumstances which clearly indicate that he did not work for 240 days. Paragraphs 16 and 17 of the written statement of the management states that the Commission prepared a comprehensive list of all contingent workmen who completed 240 days' work on casual basis during a period of twelve calendar months. The said list was published and circulated widely in the year 1969 and again in 1971 inviting objections if any from workmen concerned. In spite of the fact that the aforesaid list did not include the name of the opposite party workman, neither the workman nor any union or any representative raised this matter with the Commission, or made any representation to the Commission over the non-inclusion of his name in the list of workmen who completed 240 days work in twelve calendar months. This has also been said by MW-2 S. D. Chaliha. It is the clear case of the management that if any workman completed 240 days, his service was to be regularised under a system which the management always followed. It is increasingly clear that Halimuddin did not raise any objection either in the year 1969 or in 1971. He lay dormant and stood by for a number of years. He did not raise any grievance against the non-inclusion of his name under clause 18 of the Certified Standing Orders under which he could lawfully make complaint about non-inclusion of his name. There was also provision for appeal to the next higher Officer under that very clause. Not only that he continued to accept the casual employment in 1969 and also in 1974, he himself admitted that he was in employment in the year 1974. MW-2 S. D. Chaliha has also said so. It appears that after the publication and circulation of the list aforesaid the Commission had regularised the services of nearly 600 contingent workmen. If Halimuddin would have completed 240 days his name would have been included in the list and he would have been regularised. For the first time Halimuddin made representation before the management in the year 1976 that his service should be regularised. Again he sat silent for about three years. The evidence of MW-2 is that the matter was explained to him orally and that satisfied him. This evidence appears to be correct because Halimuddin sat silent for about three years after making his representation. He raised the present dispute by letter dated 27-11-78 with the Assistant Labour Commissioner (Central), Calcutta.

6. On behalf of Halimuddin it was argued that the Attendance register has not been produced. It is to be noticed that the dispute was raised after a lapse of about 10 years. According to MW-1 S. K. Jha the system of maintaining Muster Roll was for about 10 years only. MW2 S. D. Chaliha has said in his evidence that the management does not maintain old records of attendance and those records are destroyed after three years as per rules of the Compendium of ONGC. He has said that the attendance register of Halimuddin for that reason cannot be produced. The learned Advocate on behalf of the concerned workman drew my attention to orders of this Tribunal dated 24th July 1981, 4th September 1981 and 4th November 1981 in order to show that the management had been directed to file documents on a petition having been filed by the workman. However, it is clear from the order dated 11 December 1981 that a statement was made before this Tribunal on behalf of the Commission that those records had been destroyed and they could not therefore be produced. The point thus has no force.

7. It was next contended on behalf of the concerned workman that Halimuddin was not cross-examined on the point of erasure of the certificate. That is so, but it cannot mean that Ext W1 is genuine. I have already found that it is an interpolated document. The contention, therefore, has no meaning. In continuation of this argument it was submitted that even in the written statement in paragraph 24 the management has not said anything about the erasure and all that has been said is that it does not admit the correctness of Ext. W-1. This contention also is of no use when there is enough circumstantial evidence on record to show that Halimuddin could not have worked for 240 days and that Ext. W-1 is an interpolated document.

8. It was next submitted by the Lawyer on behalf of the concerned workman that there was no specific denial by the management in their rejoinder that Halimuddin had worked for 240 days. This is not correct. In paragraph 4 of the rejoinder it is specifically stated that Halimuddin had not completed 240 days work in 12 calendar months and, therefore, he was not considered for regularisation.

9. In the view which I have expressed on merits of the case, it is not necessary to discuss whether it was really a case of regularisation or of termination of service or whether the reference is invalid on the ground of its having been made after a number of years of the termination of service. In the circumstances it is not necessary to refer to cases cited by the parties on these points.

10. On the facts, evidence and circumstances of this I hold that Halimuddin has not been able to prove that he worked for 240 days in the year 1968. I further hold that the service certificate, Ext W-1, which is relied upon by the casual workman Halimuddin is an interpolated document and that the date of commencement of his work in the year 1968 was erased and another figure has been inserted therein in order to show that he had worked for more than 240 days.

In the result, my Award is that the action of ONGC, Eastern Region, Nazira in terminating the service of Sri Halimuddin Ahmed, Casual Labour, Production, Pipe Line branch, with effect from 18 December 1968 was justified. It follows that the concerned workman is not entitled to any relief.

Dated, Calcutta,

The 5th March 1983.

M. P. SINGH, Presiding Officer.

[No. L-30012(15)/80-D.III(B)]

S. K. BISWAS, Under Secy.